

SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

EIGHTH DAY

JUNE 13, 2006

**MEETING HELD IN THE ROSE Y. CARACAPPA LEGISLATIVE
AUDITORIUM OF THE WILLIAM H. ROGERS LEGISLTURE BUILDING,
725 VETERANS MEMORIAL HIGHWAY, SMITHTOWN, NEW YORK**

MINUTES TAKEN BY:

DIANA KRAUS AND ALISON MAHONEY, COURT STENOGRAPHERS

(THE MEETING WAS CALLED TO ORDER AT 9:35 AM)

P.O. LINDSAY:

Will all Legislators report to the horseshoe, please. Mr. Clerk, would you call the roll, please.

(* Roll called by Mr. Laube • Clerk*)

LEG. ROMAINE:

Present.

LEG. SCHNEIDERMAN:

Here.

LEG. BROWNING:

(Not present)

LEG. CARACAPPA:

(Not present)

LEG. LOSQUADRO:

Present.

LEG. EDDINGTON:

Here.

LEG. MONTANO:

Present.

LEG. ALDEN:

Here.

LEG. BARRAGA:

Here.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Here.

LEG. HORSLEY:

Here.

LEG. MYSTAL:

(Not present)

LEG. STERN:

Here.

LEG. D'AMARO:

(Not present)

LEG. COOPER:

(Not present)

D.P.O. VILORIA • FISHER:

(Not present)

P.O. LINDSAY:

Here.

MR. LAUBE:

12.

P.O. LINDSAY:

Thank you, Mr. Clerk. Before we have the salute to the flag, I'd like to call the Suffolk County Historical Society Director Wallace Broege. Wallace, where are you?

MR. BROEGE:

Right here.

P.O. LINDSAY:

Very good, Wallace.

MR. BROEGE:

Perhaps this would be the best place for me to stand to speak. I want to thank you very much for making it possible for me to bring the Hulbert flag to this meeting of the Legislature this morning. Tomorrow is Flag Day. That's a day in which we honor the American flag and we celebrate the official acceptance of the American flag in 1777. That's when the first design was officially adopted.

The Hulbert flag has been in the Historical Society's collection since 1933. Many people believe that the flag is the oldest flag in the country. It's a difficult thing to prove. The oral tradition around the flag is that it was made in Bridgehampton by a group of militia men who then took it to Fort Ticonderoga in 1775 and marched British prisoners of war to Philadelphia to exhibit before the Revolutionary War began. According to William D.

Halsey, the fellow that donated the flag, it was discovered found hidden in a wall in Bridgehampton with revolutionary war documents, credible documents that related to Captain John Holbrook who we know came from Bridgehampton.

A historian named Morton Pennybacker also became involved in this story. And he went on to become the County Historian. So he was a credible historian. The historical record is very murky. This is probably the most controversial and interesting artifact in our collection. It's been examined by two separate conservators; one in 1972 from the Smithsonian Institute examined it at the museum and said that there was some thread in the flag that could date back to the 1700's. Some much newer that indicated the Industrial Revolution. So she said the flag could not have been made before 1840.

In 1997 it was looked at by another conservator who supported that idea after doing a thread by thread analysis. Most recently a master weaver from Upstate New York and a textile expert who has done a lot of work here in Suffolk County research on Long Island textiles said that she disagreed with the other two; that they mis•read the type of thread and that she has seen types of this thread in 18 century artifacts that are found on Long Island. So I guess the bottom line here is, is that we've got a controversy brewing about the flag. We're not done studying it. We've examined the historical record. What may come next will be a dye analysis and something called electron photo mycrosopy to study the wall fibers in the flag. But to us whether it was made in 1775 or 1840 it nevertheless is a 13 star flag. And it's a treasure. It's part of our history here in Suffolk County. So it seemed appropriate to offer to bring it over here for Flag Day. And I appreciate the opportunity.

This will be on exhibit at the Suffolk County Historical Society in Riverhead through June. And then we'll put it back into a climate controlled storage area to protect it. Right now it's been put into a specially designed case where it's supported with some inner material and is covered with all ultraviolet filtering plexiglass to protect it. So I want to thank you very much for giving me this opportunity. I don't want to take too much of your time because I know you've got a lot of business to do today and you've got

a lot of people here in the audience. I'm sure they have things they want to say.

One request, would it be possible if after you do the pledge if we carry the flag to the middle and we can get one photograph with all of the Legislators and then I'll be out of your hair for the day. Thank you.

(APPLAUSE)

P.O. LINDSAY:

Thank you very much, Wallace. Now I'd call on Legislator Losquadro to lead us in the Pledge. Please rise.

(SALUTATION)

Wallace, if you would move it. I'd be afraid to touch it. Will Legislators please gather in the center here. Yeah, yeah, I think around the back, right? Around the back is will probably better, Wallace. What do you think?

(PHOTO TAKEN)

All right. I call on Legislator D'Amaro for the introduction of visiting clergy.

LEG. D'AMARO:

Thank you. Good morning. It's my pleasure to introduce to you this morning, Monsignor Frank Gaeta. He's from Saints Cyril and Methodius Church in Deer Park, a church that I was baptized in, had my communion in and as well my confirmation. So I present to you Father Gaeta. Thank you. Come on up here.

MONSIGNOR GAETA:

Heavenly father, we're reminded today with this gathering of people who love our country to a day many years ago when people just like our Legislators said we hold these trues to be self•evident; that all men are created equal and endowed by their creator with certain inalienable rights among which are life, liberty and the pursuit of happiness. Father in Heaven

it is the great duty and privilege of this group of distinguished people to always protect the people they serve, to always be servants to the people of our county, to always have this beautiful vision that a life in politics, in government and in the church is to serve your people first. And so Heavenly Father we ask you to bless these good people. May the Lord bless you and keep you. May the Lord let the light of his countenance shine upon you and give you peace. May the Lord be gracious unto you today and always. Amen.

P.O. LINDSAY:

Thank you, Father. While everybody is standing, over the last month we've lost a number of people that are close to us. And I'm going to ask for a moment of silence.

The first one is, you know, the newspaper industry is something that's integral to the Legislature. Sometimes we hate them; sometimes we love them, but they're always here and report on what we do. And there was a young woman, a very brilliant young woman that covered this Legislature for many years, Valerie Burger, who passed away in the last month.

Additionally Ben Zwirn, the Deputy County Executive's mother Ruth passed away.

And unfortunately the tradition around here the last couple of years is we always ask for a moment of silence to remember all our young men and women that are in harm's way.

(MOMENT OF SILENCE OBSERVED)

You can finally sit down. Okay. We have a number of presentations to make before we start the official program and the public session. I would ask Legislators to take photos outside in the lobby and to try to move it along as fast as possible. And I have the first presentation. I'd like to present the Certificate of Appreciation to the Long Island Blood Services for all they do in keeping our blood supply adequate for the people of Suffolk County. The blood donated today will help save lives. And if anyone in the audience, you know, county staff here today would like to give blood, please

see Lisa at the reception desk. The blood mobile is outside. It will be here until 2:30. There's a desperate need for blood. I already gave my pint so I wouldn't ask you to do something that I wouldn't do. And we have a representative from the Blood Center. Yes, please come forward.

Christine, on behalf of the Suffolk County Legislature, we'd like to present this certificate to the Long Island Blood Services for everything you do to keep our blood supply adequate and safe. Thank you. Would you like to say something?

MS. DINGFELDER:

Yes. Thank you so much, Legislator. I'd like to thank all of you for the support. And looking across the room I see so many of our Legislators, Dan Losquadro, who's done blood drives with us and Joseph Caracappa and Legislator Vioria•Fisher, Lynne Nowick, Legislator Kennedy. We've had great support from our Suffolk County government. We continue to run at a deficit. Less than two percent of the population on Long Island absolutely donates blood. And we desperately need your help. And if you can get this message out to your constituents and help us support blood drives all throughout Suffolk County, we'll be able to achieve our mission of saving lives on Long Island and making sure that every patient that comes into a hospital, one of the fifty hospitals here in Nassau and Suffolk County, get the treatment they need; and with your help, especially today, I thank you for this opportunity and continue with the good work.

P.O. LINDSAY:

Next I'd like to call on Legislator Stern who has a proclamation for the students of the Half Hollow Hills High School, "We, the People" project.

LEG. STERN:

Thank you, Mr. Presiding Officer. It is with great pride that we welcome the very special group of young men and women from Half Hollows Hills East High School this year's New York State champions of the "We the People" competition. So, please, everybody join me in congratulating this year's New York State champions.

(APPLAUSE)

LEG. STERN:

Mr. Presiding Officer and my colleagues, as you all know, the "We the People" competition instructs students in the philosophical, historical and legal aspects of the constitution and does an outstanding job in teaching our young people about citizenship in this great nation. And so with the assistance of their coach and Director, Mr. Scott Edwards, did an outstanding job in bringing home this year's New York State championship. And so for myself, for the people of the Sixteenth Legislative District and for all of us in Suffolk County and Suffolk County Legislature, we wish you all congratulations and the very best of luck in the future.

(APPLAUSE)

Thank you.

P.O. LINDSAY:

A few more proclamations we'll have enough seats for everybody.

Next I'd like to call Legislator Cameron Alden for the purpose of presenting a proclamation for the Probation Officers.

LEG. ALDEN:

I'd like to ask Officer Buckley and I think there's some of the Board of Directors of the Probation. And also, Legislator Eddington, as the Chairman of the Public Safety, could you join me up here?

In case anybody had any doubts about a Probation Officer and the danger involved with their job, Officer Buckley is a prime example of what can actually happen to you. He was out serving a felony warrant and attempting to make an arrest when the person that he was serving this warrant on took the vehicle and assaulted him with it. He sustained many injuries in that assault. Got back up off the road. The perpetrator took off in a car. Officer Buckley chased him down, pulled him over again. The guy got out of the car, ran through the woods, attempted to escape. Officer Buckley being injured and pretty badly injured followed him through the woods and eventually made the arrest without any civilians sustaining any injuries.

So, fantastic job in that regard. After he makes the arrest, he had to be taken to the hospital because of his injuries. But he ignored the injuries, did the job. And we want to pay a little bit of honor to him today for going above and beyond what you're getting paid for which is not a lot actually when you look at it. And the recognition that Probation Officers, they go through a heck of a lot to keep us safe. And behalf of the 18 Legislators, I want to commend you and thank you.

(APPLAUSE)

LEG. EDDINGTON:

I'd just like to add that as I've become Chair of Public Safety, I've gotten to know all the officers. And you really are the first line of defense. You are trying to do some proactive early intervention stuff. And you're trying to keep people from getting continually in trouble. And I think most of us don't realize how risky your job is. And I appreciate everything you do. Congratulations.

LEG. ALDEN:

Congratulations.

(APPLAUSE)

P.O. LINDSAY:

Next I have Legislator Dan Losquadro for the purpose of a proclamation.

LEG. LOSQUADRO:

Thank you and good morning. I'd like to please ask our County Clerk Judy Pascale and her Director of Optical Imaging Peter {Chesler} to please come up. I have quite a list of awards that the Clerk's Office has received that I had like to make the public and my colleagues aware of and give them some special recognition for. I'm just going to read through the list quickly. They were the Laureate gold medal award winner from the Computer World Honors Program 2006 Search for New Heroes, the 2006 Best of New York Award winner from the Center for Digital Technology and Government, the 2006 Knowledge Management Award by Federal Computer Week, the 2004

Municipality of the Year Award winner by Info•World, the 2005 Municipal Leader of the Year Award by American City and County Magazine, and the most innovative IT products for 2005 by Info•World. These are tremendous accomplishments.

Our County Clerk's Office went against •• went up against some of the best in the business, up against agencies such as the United States Post Office, our Armed Forces, organizations that are very well established in these fields. And it just goes to show you the type of innovative, hard•working people that we have here in our County Clerk's Office in Suffolk County. I would like to say congratulations to them for the hard work and dedication that they have put in to bringing all of these awards here to Suffolk County. And I'd like to ask as many of my colleagues as would like to join us for a photo in congratulating the County Clerk's Office. Thank you.

(APPLAUSE)

MS. PASCALE:

I would just like to very quickly thank once again this Legislative body as well as the County Exec's Office for their continued support of the County Clerk's IT projects. Without your support and your understanding and your encouragement, none of this would have been possible. I would be remiss if I did not thank my 135 AME employees for their hard work and dedication, the Director of Optical Imaging Peter {Chesler} who's bar none the best and the brightest that we have. And we're very, very fortunate to get him.

And this is a symbolism of good government. While we're accepting these awards and we accept these awards on behalf of Suffolk County, these awards really symbolize good government. And this is the efficient use of taxpayers' dollars. And that's what taxpayers have come to expect and they deserve. And I thank you very much.

(APPLAUSE)

P.O. LINDSAY:

We have two more •• Dan, if you want to go take the photo, I'll skip this one and do the •• yeah, okay. Every year the Legislature runs a contest for

elementary schools throughout the County. It's Have a Heart Adopt a Pet Poster. And there's three winners. We're going to do all three together. I'd call Legislator Nowick, Losquadro and myself to the podium for the purpose of presentations.

LEG. NOWICK:

I'm going to ask Samantha Romano to come up.

LEG. LOSQUADRO:

And I'd like to Nina Fidaza to please come up. And, Bill, who's the third?

LEG. NOWICK:

And, Bill, who do you have?

P.O. LINDSAY:

Agnes.

LEG. NOWICK:

Agnes. Today we are very proud at the Suffolk County Legislature to thank Samantha Romano for being so creative in making a Suffolk County Adopt a Pet poster. And it's a wonderful thing and we congratulate you. As a matter of fact I have many pets myself who my daughters brought home for me to adopt one after another. I have four of them. And I think that your poster will help other pets be adopted. Thank you, Sweetie. And I also have a proclamation for your principal so we can hang it in your school. Okay? I'm going to give this to you. And you stick around and we're going to take a photo.

(APPLAUSE)

LEG. LOSQUADRO:

Thank you. And now I'd like to recognize a special young woman from my district Miss Nina Fidaza. And I'm very fortunate because this is a second year in a row I've had a winner from my district. I guess I have a lot of very creative and talented young ladies from my district because last year it was another very talented young girl just like this. So I'd like to say

contratulations to her and keep up the good work. And we expect and I know we're going to get a lot of good things from you in the future. Congratulations.

(APPLAUSE)

P.O. LINDSAY:

And the grand prize winner, and I don't have the drum roll here, Anna, but it's Anna Agnes from the Idle Hour Elementary School in Oakdale. Congratulations and smile.

(APPLAUSE)

Moving right along. Okay the last presentation and then we'll get down to some hard businesses, I'd like to call Legislator Kennedy to the podium for the purpose of presenting an award to another elementary school for a poster contest.

LEG. KENNEDY:

Thank you, Mr. Chairman. I would like to call Kassie Jata and her family to the podium. Kassie was the winner in the "Dump the Water" Campaign. As you know each year we sponsor a poster campaign for children to go ahead and give us their artistic rendition about the importance of being able to go ahead and take care of standing water. Kassie's joined us today with her mom. And we have her teacher and the Principal from the Pines Elementary School, Michele {Rodfield}. We're very pleased that the school joined and participated in it. And it just shows the wonderful artistic ability that we have for all of our elementary school children. So, Kassie, again, I want to congratulate you on a wonderful important job. Thank you so much. And thank you to the rest of the family. Thank you so much.

(APPLAUSE)

Again a second time winner first place. So the Pines is doing a yoeman's job. Thank you, Mr. Chairman. Thank you.

P.O. LINDSAY:

Thank you, Legislator Kennedy. Just a reminder to all Legislators, there's a presentation today during the lunch break across the street at the Labor Department, the One Stop Center for Employment. And before you leave here at 12:30 the official photo is going to be taken.

Now before we get into the public portion, there's some left over business from last week under presentations. I'd like to call Dr. Luft and Dr. Parkinson. Please, you can sit right up here at the table, gentlemen. Dr. Luft and Dr. Parkinson are two nominees for the Board of Health. They couldn't make it last week because of conflicts at the committee meeting. And their CV's are in front of you. While they're coming up, both Dr. Luft and Dr. Parkinson are tenured professors at Stony Brook's Medical School. Dr. Parkinson who retired last year is for about 20 some odd years was the Director of the Long Island Occupational Health Clinic at Stony Brook. And Dr. Luft for about the last eleven years was the Chair of General Medicine and specialties in infectious disease and currently is working on the issue of bio•terrorism. And thank you for coming, gentlemen.

My colleagues, does anyone have any questions of Dr. Luft or Dr. Parkinson? Nobody? Nobody. Okay. Just a note their CV's is probably more than I can do in ten lifetimes. Thank you very much for coming gentlemen. Thank you for agreeing to volunteer your time for the citizens of Suffolk County. Did you have anything you want to say or comment?

DR. LUFT:

It's a great pleasure and privilege to the Board of Health.

(APPLAUSE)

(PUBLIC PORTION)

P.O. LINDSAY:

Okay. We're going to start public portion. We have 55 cards. You'll be limited to three minutes. When the buzzer goes off I'm going to gavel you. I'm going to ask you to wrap up at that time. And our first speaker is former Legislator John Foley. John, maybe you'd like to sit down.

MR. FOLEY:

I can do it.

P.O. LINDSAY:

You can do it standing up.

MR. FOLEY:

Yeah. Three minutes are easy. Thank you, Mr. Presiding Officer and members of the Suffolk County Legislature. I'm here to speak to an issue that may arise today or sometime in the near future, namely the attempt to privatize the Suffolk County Skilled Nursing Facility at Yaphank. If that were to be attempted, it would strike me that we could justly call that a day of infamy in the County of Suffolk because that particular facility, not because of its name but because of the way it was constructed to meet those problems of, let's say, problems of construction but more importantly to meet the needs of the poor people of this county. That was the heart and soul of that building. And it still is the heart and soul of that building. So any attempt to privatize it strikes at the core of this county. That's whom we should be concerned about.

And having said that, why not •• why not have a tear of care for the poor in this county? The county is large enough, big enough and has the resources enough to take care of these people. And it would strike me, again, Mr. Chairman, I must be approaching the three minutes and I don't want to be gavelled down, that the County of Suffolk should do all that it can to preserve that kind of high level of care for the poor for which that particular building was constructed. And that is the philosophy of the building. Let's not do anything that would be so cynical, so cruel and take a stand against the poor of this particular county. And I speak to you from my heart. And I think my three minutes are over but I can say much more. And thank you, Mr. Presiding Officer.

P.O. LINDSAY:

Thank you, Mr. Foley, for attending. We always respect your wisdom. Thank you.

MR. FOLEY:

Thank you. Thank you very much.

(APPLAUSE)

P.O. LINDSAY:

Dr. Harder.

DR. HARDER:

It's my privilege to speak as before to the County Legislature. And I just wish to state that we are somewhat alarmed in the health center advisory councils. And I as Chair of the liaison committee inadequately succeeding {Marilyn Shellebarger), of course. But somewhat alarmed a drive to privatization. We wish to reassert just briefly to the County Legislature the value of our health centers, the uniqueness, the model that much the country has followed despite some difficulties, the partnership between community as represented by the advisory councils, the hospital and the County has been a unique and wonderful way of responding locally to local issues in terms of health access to care and provision of good care.

If we are pushing in terms of good care for continuity and caring and relief of emergency room loads where care is often episodic and not the best, then the health centers should be continued as they are as a partnership. Any attempt to privatize or to put them under a huge umbrella such as SUNY as a whole may or may not bring efficiency and cost savings. And that is an open question. But it certainly will not bring increased of caring and access to the many, many people who are served by them. And I just want to thank you for the privilege to again advocate for the health centers. Thank you for your attention.

P.O. LINDSAY:

Thank you, Dr. Harder. I appreciate your brevity.

Tony Cuzzucoli.

MR. CUZZUCOLI:

Good morning. Mr. Presiding Officer, ladies and gentlemen of the Legislature, I'm here to speak in favor of IR 1593 because it begins a new process between this Legislature and innumerable families across the Town

of Smithtown. In 1980 Suffolk County for one brief moment saw the wisdom and the thorough and comprehensive study {H2M report} that found cause and made recommendations for the resolution of ground water flooding in our community. Sadly, your predecessors sounded the retrumpets of silent retreat and failed in their duties and obligations to preserve and protect our residents. Not one penny's been spent to give aid to taxpayers who supported your treasury without complaint. And now we can no longer afford summer soldiers in this cause.

I cannot fail but notice in the 26 years since 1980 through this current fiscal year Suffolk County's expended through its annual budget \$34,472,605,643. I hold no brief with this sum. My Smithtown neighbors understand the need for such expenditures. What we do not understand is the \$500,000 being offered in 1593 to flood victims. Leave the fact that \$500,000 is insufficient to demands of planning and scoping let alone implementation. If we extrapolate 1593 for the same 26 years from 1980 to the present, you're currently offering a sum per annum of \$19,203 to be divided among all the flood families in our community. I presume you're all expected to be relieved that you're only spending \$182,700 per prison inmate in new construction as proposed in the 2007 through 2009 capital budget.

Mr. Presiding Officer, I'm sorry you have left. Echoing the good reverend regarding equal rights during his fine invocation. Please show me in the County Charter where the equal protection clause of the 14th amendment in our constitution determines who in this country •• in this county •• please forgive me •• will enjoy the largest of our county's fruit and who among us are chosen to be orphans of the storm? My friends and neighbors ask for simple equity; not charity. Please reach for a fair and more reasonable sum of money in which to fund IR 1593. It's the decent, the morale, the right thing to do. So please support it on June 27th and I thank you for your courtesy in listening to me this morning. Thank you.

(APPLAUSE)

D.P.O. VILORIA • FISHER:

Thank you. Elsie Lane. And on deck we have Marie Domenici. Elsie Lane.

And after ••

MR. CUZZUCOLI:

May I just say, Madam Chairwoman, that you're going to have a bit of history here in just a moment. Ms. Elsie Lane, who is a flood victim of over 30 years ••

D.P.O. VILORIA • FISHER:

Okay. Mr. ••

MR. CUZZUCOLI:

If we could just get a chair for her.

D.P.O. VILORIA • FISHER:

Okay. I'll let her introduce herself. I know who she is.

MR. CUZZUCOLI:

Yeah. 102 years old.

D.P.O. VILORIA • FISHER:

I was at the committee meeting. Thank you.

MR. CUZZUCOLI:

Thank you so much, Ma'am.

D.P.O. VILORIA • FISHER:

Thank you, sir.

(APPLAUSE)

Okay. And we did meet Miss Lane when she came to our Parks Committee meeting. She is 102 years old and a longtime resident. Welcome, Mrs. Lane. If you could just have a seat right there.

MS. LANE:

Hello everybody to all my good neighbors.

(APPLAUSE)

D.P.O. VILORIA • FISHER:

Make sure you hold her chair, please. Hold her chair, please. And if you could put the microphone right near her; make sure that it's on. Good morning, Miss Lane.

MS. LANE:

Why, it's going to slide? I'll need that.

So, what do I say? Yeah, I'm living out here since •• 53 years. And it seems that I've been having water in my cellar right after I moved. Couple of years I didn't have it. And now I have it pretty bad again. Three pumps. I had to go down a couple nights ago, take one of the pumps out; was making such a noise. I fell in two feet of water. So, of course, I had to get up and dry myself off.

So now I have three pumps going. How would you like it if you had a pump going every half a minute right under your bedroom? And that's what I'm suffering with every night. I have to get someone to try to do something for me. I don't know how long I'm going to take this. They say another twenty years? What will I be? 123? But I'm trying to take it all in stride. I don't have no help. No one at all to help me. So I live all alone. And so you can see it's kind of hard for me to get along. But I try my best so I hope that you can help to try to do something that you've been •• they've been saying they're doing for twenty •• twenty years to try to get the water tabled down all around where I live. They have to do something. They have to •• they did take Millers Pond down twenty years ago and relieved us an awful lot. So I don't know if there still boards up there in Millers Pond, but they have to do something to try to get that water to flow down into the Great South Bay because we can't take it anymore in Smithtown. The water table is too high. Maybe twenty years from now Long Island will all go under water the way it's going. So we got •• so you's are going to try to help to get rid of that water, please. All our neighbors need help also. I thank you very much.

D.P.O. VILORIA • FISHER:

We thank you, Mrs. Lane.

(APPLAUSE)

Mrs. Lane had said that in 1980 she circulated a petition. She continues to be an advocate and she really is extraordinary. Thank you for coming back, Mrs. Lane.

(APPLAUSE)

Marie Domenici.

MS. DOMENICI:

Good morning. My name is Marie Domenici. And I'm here representing Assemblyman Marc Alessi who could not be here because he's in Albany. And I suspect there are a great number of people here today who will probably talk to you about the trap and skeet facility in Yaphank.

At this time I'm going to read a statement from the Assemblyman. "I am on record as opposing the reopening of the trap and skeet range located in Yaphank as it is the location which is problematic. The range is located on environmentally sensitive areas, the Carmen River and the Pine Barrens. There are potential adverse environmental impacts on groundwater and surface water due to the trap and skeet's location. We must keep in mind the Pine Barrens Protection Act of 1993 when deciding if this location is truly the right location. I am, however, open to discussion to seek other viable locations better suited for this recreational facility perhaps located in a west environmentally sensitive area. I welcome the opportunity to have dialogue with you as it relates to this matter. Thank you."

(APPLAUSE)

P.O. LINDSAY:

Edwin Schwenk.

MR. SCHWENK:

You can pass some of these around. Thank you very much. I'm Edwin M. Schwenk, Southampton, New York. I'm here representing myself but speaking for about 10,000 people. Talking about County Road 39 in Southampton, five and a half miles long. In the last two years there's been 400 accidents on County Road 39. There's been 61 people end up in the hospital and there have been five deaths.

The last major improvement on County Road 39 was in 1952. 1952. In the meantime we have gridlock coming into Southampton and the eastern two towns on the south shore. We cannot get school teachers who will come from any place beyond Southampton. We cannot get garage mechanics. We cannot get nurses for the Southampton Hospital. We can't do that because it's going to add two hours to their working day everyday bottled up in traffic at the Shinnecock Canal.

Now we have a proposal for \$70 million for many, many years here for the Suffolk to spend to straighten out that five and a half miles. And unfortunately it's bottled down in conversations between the County Executive, the Town of Southampton, the State of New York; and now we have the federal government involved. The fact of the matter is that as I understand it, the County's trying to get the state to take over the road. The State doesn't want anything to do with the road. The State's got enough problems of their own. Federal government says no, we've got plenty of problems and we don't have any money. We have closed door meetings. We have all kinds of things coming out of the media that it's going to be taken care of. In the meantime this has been going on now for some 20 years.

Now I ask the County Legislature in the interim time there's a proposal on the doc there to make County Road 39 one way east. Five hours in the morning, make all Montauk Highway westerly bound either two lanes or one lane so that the people can get into the town for their jobs, to get things done. And as I understand now this has been given to Mr. Barter, the Commissioner of Public Works. I wonder how long it's going to be before we start to get an answer to that.

Now we have a gridlock, gridlock. We have a terrible problem. And I think part of the oath of office is to protect the health and welfare of the citizenry of the constituency that you represent. And I got to tell you, when you got 400 accidents in two years, you got 61 people in the hospital, and you've got five deaths on that five and a half miles, then it's time something was done. And the County here •• this distinguished County Legislature can start to get it done. We need action. We need it now. Thank you very much.

(APPLAUSE)

LEG. SCHNEIDERMAN:

Mr. Presiding Officer, I just •• I have a photo on my computer which I'll try to printout in the back. But if anybody wants to see what Route 39 looks like •• County Road 39 looks like on a daily basis, this is a good image. Everyday. It looked like this today. It looked like this yesterday. It's a bad situation.

P.O. LINDSAY:

Okay. Thank you for your comments, Mr. Schwenk. Can you imagine if you used the microphone?

Elaine Renner.

MS. RENNER:

Hi. I live right here in Smithtown. I was here at the Parks Committee meeting last week. A lot of you weren't here so a lot of you probably aren't familiar with a lot of the problems a lot of the Smithtown residents are facing with the water problem here.

I'm a neighbor of Elsie Lane. And she was involved with a petition back in the '80's that was supposed to help resolve this problem and to date nothing's been helped •• been done to help us.

I've been walking the streets and talking to a lot of my friends and neighbors the last couple of weeks. And I've been appalled by a lot of the issues I've been hear have been plaguing a lot of them. Cesspool issues

have been overwhelmingly running rampant. Some people are telling me they're emptying their cesspools almost every three months. They're dealing with water in their basements. They have pumps going nonstop 24/7 with electric bills that are going five to \$600 a month. With the LIPA bill they keep telling us they want to raise it again another 17%. People are financially, emotionally stressed to their limits on things. There's water in the basement that is bringing dampness to a lot of these homes. I went into somebody's house the other day and they didn't even have a basement. They're just on a slab but the dampness with everything in their house is all sticky to the touch.

People are worried that if we have one of these big hurricanes that are coming that they say we're way overdue for, we're not going to have the power and the electric to keep this water out of the people's basements. They've lost oil burners. They've lost thousands of dollars worth of damage of things they've had to throw away due to the damage of the water, that are unreplaceable even by insurance. A lot of health issues with asthma and respiratory issues that are plaguing a lot of children and our elderly.

I was in a lady's house just the other day. I took a picture of the mold that's just coming from her basement from the dampness that's in the ceiling and her house. She went to pay her taxes this year a month or so ago and she said I saw Mr. Vecchio. And I said, Mr. Vecchio, I'd like to just address the issue of the water to you. I'd like to speak to you a few minutes. His reaction to her was write me a letter.

I've been hearing an enormous amount of responses of people saying people as they send them letters, they're getting responses. I have copies of them. Mother nature is what it is. There's nothing we can do for you. Fill your basements in. This is not what people want to hear. They're spending a lot of money and taxes for a lot of properties and things they're not able to use.

I was in a development just the other day with houses, three-car garage beautifully manicured and landscaped. And these people are telling me they had idea it had to do with this water issue. She said you see my lawn, you walk across, you can't walk even though it's all •• it's all mowed and

manicured. You see the darkness and the mulch in the bottom? That's water. The water comes right across my neighbor's lawn from one to the other. So this problem is expanding to one town to the other.

P.O. LINDSAY:

Could you wrap up, Ms. Renner?

MS. RENNER:

And I have a petition of over 354 people that asked me to represent them that couldn't be here. And each of them said they want so say because they're watching this problem very closely of what's going to happen because they're all looking to see how concerned everyone is to help them because they want to know their next voting should be. Thank you.

(APPLAUSE)

P.O. LINDSAY:

Frances Ruta. And on deck is George {Sheer}. I'm only up to card seven so we got a lot so if Frances Ruta could come to the microphone. And could George {Sheer} be ready to go right behind her.

MS. RUTA:

Good morning. I'd like to address myself on this issue. Members of the board, I'm sorry, three minutes, I don't know if it's going to be enough for me. Any woman can't talk just for three minutes. However 1966 I purchased my home. And I've been ever since six or seven years later I've had water problems up to my {gazu}. We've had many things happen to me. I had the first time we had \$3,000 with the perimeter of the inside of my basement, \$5,000 the next time, \$5,000 again.

I have pipes all around my area of the house. As you can see if you come to my home you can hear it trickling it outside of the pipes that are going to the side of the •• what do you call •• the street because at that time we had to have an issue •• I was addressing at one time at a Legislator's Office that I had to have this water not going into the street. My children were playing on a front of a yard. And what happened is two cars came down and they almost slammed into them, knocked down two trees.

Police reports, I've received two of them. And that's the reason why they put that out. I also had, like I said, the cars would come down, there would be water in the street. The cars would think it was just water, but underneath that was ice. So unfortunately Thank God no one got killed. And that's what I was addressing at this time.

I've had my husband for 15 years home. We just put him in a nursing home. He's had two •• here I go again. Sorry. He's had two strokes.

P.O. LINDSAY:

Take your time, Mrs. Ruta.

MS. RUTA:

I'm sorry.

P.O. LINDSAY:

That's all right. Don't apologize.

MS. RUTA:

It's very hard. I have pumps that I have to keep putting down basement. And I have no help at this time. And the pumps are going crazy. Since December I've replaced two of them because they burn out. The only time the insurance company can help you is if the electric goes off. Other than that, they are no help at all. I've addressed this once before at the other legislative building when we had that problem. And we still haven't had any help at all. So I really, really don't know when this is ever going to stop. I'm on Adrienne Lane, which is called the famous Adrienne Lane. We've had at the time the Presiding Officer was Paul Fitzpatrick •• had problems down there. I addressed him by saying I bought flood insurance. Flood insurance doesn't do anything for us because it's not a designated area for flood. When the sign went up and it said flood •• I forget what it said. Just flood water or something on that respect •• I don't recall how it read •• but we were not able to collect anything on that. So my flood insurance was nothing.

It's unfortunate. I just wish everybody could really settle down and

understand what's going through these people's mind of what's going on and it's constant. My pumps are going like musical chairs. If anybody wants to come and see that, I would appreciate it. Any time. I'll serve coffee, whatever. But, really it's bad. It's bad. I just wish the people behind me can say more than what I'm saying now. I did write quite a few things. But I just can't go on. Thank you very, very much.

(APPLAUSE)

P.O. LINDSAY:

Thank you. George {Sheer}. George {Sheer}? Maybe I'm mispronouncing it. Is it Fischer maybe? Greg Fischer? Okay.

D.P.O. VILORIA • FISHER:

And James Moran is next.

P.O. LINDSAY:

Yeah, James Moran is on deck. I apologize, Greg, I didn't have my glasses on.

MR. FISCHER:

My name is Greg Fischer. I'm a resident of Calverton. And I'm here today to speak on behalf of Americans for Legal Reform. I'm a lobbyist for that group. This is to speak in favor of MR, memorializing resolution 34 in support of assembly bill A 10436. And I have copies for the committee •• for the Legislature.

I'm going to go right to the last page of the bill which talks about the justification for the bill. With active duty reserve and National Guard being deployed to hostile territories around the globe and to other locations around the nation, to have them lose custody of their children solely because they are deployed away from their family. That's the purpose of this bill. To prevent active duty personnel from being accused of unfit parent •• being unfit parents or neglectful as a result of their deployment. So this legislation is to prevent deployment being used in custody disputes in Family Court. I ask for your unanimous support of MR 34. Thank you.

(APPLAUSE)

P.O. LINDSAY:

James Moran. And Emil Petrik is on deck.

MR. MORAN:

My name is James Moran. I live in Hauppauge. And I'm dealing with the groundwater problems as a number of other neighbors and friends are dealing with also. There are a few things that I think really need to be addressed in addition to the problems of overflowing cesspools and collapsing cesspools in my neighborhood. Sooner or later we're going to be known as a future respiratory cluster area just as we have had breast cancer cluster areas here on Long Island. And this is due primarily to the black mold spore problems that my neighbors are experiencing, which is leading to allergic reactions among children and adults and also possible cases of bronchitis, pneumonia, asthma and chronic sinusitis.

I'm also afraid that many of my neighbors are dealing with this problem in ways in which they really don't know what they're doing. That is they're going into their basements and attempting to clean out black mold without wearing respirators and using all different types of chemicals. And they have no real professional advice on how to handle this particular problem.

There are solutions to these problems; one of which is to continue the work that was started on 347 and that is to clear out the mound of sediment that exists north of 347 and has already been mentioned to lower Millers Pond. Also in my opinion, Smithtown has been negligent over the years in taking care of the sumps. I have been here since 1966. Smithtown has adopted the idea that when a sump when is full of water, that's a natural condition. Well, the sumps have been allowed to become ponds in which debris and waste have accumulated in the bottoms of the ponds and this has prevented water from getting down into the groundwater table and being disbursed.

The result is in my particular community the water level is now two feet below the road. So that means that those of us who are pumping water are pumping against the water gradient and this problem is going to continue throughout the summer. A number of people cannot support this continual

pumping financially and are in risk of foreclosure on their houses because they can't keep up with the expenses.

The other thing that we're all concerned about, and I went to the meetings that were held by the state in reference to the widening of 347 and Vets Highway is that many of the experts that came down from Albany to explain the situation to us were not even aware of the groundwater problems that we have or the problems associated with salt water intrusion into the groundwater table. What I'm afraid of is when they widen the roads, we're going to have more water in our particular communities. The other thing is there's no master plan in the Town of Smithtown when it comes to development. So the result is builders come in, take down trees. And most people by now know the trees take water out of the ground and return it into the atmosphere. To give you a simple example ••

P.O. LINDSAY:

Mr. Moran, your time is up if you could wrap up, please.

MR. MORAN:

Okay. It's time now for those who represent us to do their job because if they don't, we're going to be forced into a situation where we're going to have to go to the media and consider class action lawsuits. Thank you.

(APPLAUSE)

P.O. LINDSAY:

Emil Petrik,

MR. PETRIK:

Good morning. I live in the Village of the Branch. I've been living there for 40 years. I spent ten years on the Village Planning Board and ten years as Building Inspector. So I did a lot of research in that time.

The strain running through the development, the elevation is about 48 feet. On Jericho Turnpike near St. Patricks the elevation is 53 feet. Then you have Hallock Avenue to the east. And then you have Town Line Road and the Bypass all feeding into this stream. So a lot of water.

Now when Adrienne Lane had a pumping problem, they diverted all the water east to go west. So they put it into this stream. Hidden Ponds came in and built a development. They have a sewage treatment plant. They take the excess water, the purified water, put it into the stream. The stream cannot take it any more. What's happening is it's a saucer with all the water. And a saucer •• and if you put dirt on a saucer, the water goes out. And that's what's happening here.

Neighbors are filling in their backyards. It's a saucer. It's going into their basements. If you put an inground pool in, you're into ice water. Now you need a heater. And that's what's happening here. My neighbors both have pools. And what's happening is they can't use them because the heater costs about \$10,000. It's a lot of money. So here they are put a pool in and they thought, wow, this is great, I have a pool. But you can't use it.

So, I think these are part of the problems. And any time anybody has a problem, they dump it into the stream. And then nobody wants to lower Millers Pond. You have to lower Millers Pond, number one. \$500,000 will not do it to fix this problem.

So what I suggest is you get an engineering study. And this is where the problems are. And the rains are going to get heavier. I've been here for forty years. When they built the house, my house was 1966. It was a drought. I have a partial basement four feet down. And I got a sump pump. This is •• it's bad. It's very, very bad. I got a bad disc from pumping water out. And it's a bad condition. So I think it should be looked at. Thank you very much.

(APPLAUSE)

P.O. LINDSAY:

Thank you, Mr. Petrik. Okay. We have Judith Giannotti. And on deck is Joan Baschwitz. Judith Giannotti. I hope I'm pronouncing the name right. And on deck is Joan Baschwitz.

MS. BASCHWOTZ:

I would like to •• she'll say everything that I probably would say.

P.O. LINDSAY:

I appreciate that.

MS. GIANNOTTI:

Okay. I'm really here representing everyone in my area. I was at this meeting last week. We've lived •• we're up on North Avenue. Judith Giannotti. Up on North Avenue. We've lived in our home almost 21 years. I had two full•time careers until this past several months and thought that the problems we were having we our own personal problems. I was at the meeting last week. I was overwhelmed at how pervasive and how much worse the problems are.

When we moved into our home, there was a big wet spot that was about a third of the front lawn that kept getting bigger and bigger and we couldn't get rid of it. We spent thousands of dollars dumping soil and building landscaping so the wet spots started moving back.

Then we discovered that when it rained our backyard was a lake. As the years have progressed, the lake has now continued so that every one of our neighbors, the Baschwitz', everyone right down to Hallock, is part of this one continuous lake. You cannot use the backyard at all. Our cesspool and the leaching fields which we have because there are no sewers in the area is constantly backing up. We have it pumped several times a year to the tune of \$900 per pop because which is ridiculous because it's like we're trying to empty the county. It's doing nothing. I did wash yesterday. And the stench was there for 15 hours. It's not down yet down this morning.

The mosquitos are now starting in the ground water. It's a health hazard. My husband and I are both starting to have lung issues with allergies from the mold. Our driveway has been collapsing. Since we first got there when they took away the sidewalks, we put in a complaint. Nobody even responded. We just were told a month or two ago that we needed a new fuel tank. We thought it was our personal problem. We now discover that most of the people in the area have already had theirs crumble. It's getting worse and worse. And we just are really •• I will do whatever I need to do

to go public with this issue because something needs to be done. And we're just hoping you guys hear us because this is really becoming a health hazard and it's really, totally ruining our property value. We can't even enjoy the property that we live in and we'll never be able to sell it nor will you get people to come into the area so we're really concerned. And we're glad you're here and we hope you hear us. Thank you.

(APPLAUSE)

P.O. LINDSAY:

Thank you, Judith. Cindy Cohen and Eileen Cook is on deck. Cindy Cohen first and then Eileen Cook. Cindy Cohen?

MS. COHEN:

Good morning and I would like to thank you for this opportunity to speak to you. I'm here on behalf of the Hauppauge Youth Organization. And the Hauppauge Youth Organization Complex Project has been underway for several years. And due to the hard work and dedication of a the number of the residents, this youth complex has turned into an area that Hauppauge can be very proud of. But before any of this work began this site was in deplorable condition. Our children were getting hurt. And that's basically the reason I'd like to speak to this morning. My concern is the health of the children. Even though the complex has come a long way, there are still health hazards here. We'd like to ask for this grant in order to continue the work that has been started. And we're really hoping to be able to put up a playground area for the siblings that come to hang around while the older children are playing their ballgames and playing football games. And if we can keep them occupied with a beautiful playground, if there's less stress and basically everybody will have a good time. So that's the reason for me to come here and speak to you this morning. And I do appreciate it. And I hope that you can consider this. Thank you very much.

(APPLAUSE)

P.O. LINDSAY:

Thank you. Eileen Cook. And then we have Doug { Coneg } on deck.

MS. COOK:

Good morning, members of the Legislature and the community. I like many of my •• my name is Eileen Cook and I live on Tower Place. And like many of the residents here I thought I was alone. I was the one dealing with their problems. I moved in about three and a half years ago. And I discovered through all of my frustrating very expensive battle with the groundwater, as crazy as it may sound to you guys who are not dealing with it's, it's not a unique situation.

I walked around my neighborhood speaking to my neighbors to find out what they did to rectify the situation. And it turns out we're all suffering great financial, health, mental and emotional issues associated with dealing with this on a daily basis fighting a nonstop battle as well as the quality of life that's suffered.

For example, for the financial situation we've put in pressure release systems. For those of you who don't know what that is, that's hydrostatic pressure that builds up underneath our foundation that literally the water bubbles through the concrete. This pressure release system averages about \$10,000. It puts at least two pumps into your basement that will take the water that's building the pressure, remove the pressure and remove the water from underneath your basement. All that does is make your electric bill go a lot higher. The two pumps •• I currently have two pumps in my basement. They run 24 hours a day, 7 days a week. And I timed them yesterday at 7 minutes apart. Each time it pumps, it pumps 20 gallons of water. I am one home.

And this is the amount of water and the amount of water pressure we're building up underneath our homes that we just cannot fight any more. We put pumps. We've done everything we can. I've added 80 yards of dirt in my backyard so that my daughter doesn't drown in the backyard when it rains really hard. I have pictures of lakes. I have pictures of people with basement problems that you would not even believe foundations crumbling. Things that never could exist here in Smithtown. I bought in Smithtown. I mean that's what I was told. The beautiful community, the community that everybody stands behind. And then finding more and more that everybody is sitting behind their houses so busy bailing out, they have no idea how bad

everybody else is around it.

I walk the streets and take my walk everyday with my daughter. And I walk down Tower, around Deboe, down Steven. And after a rain, it smells like a cesspool. You have half million dollar homes that smell like a cesspool. This to me is just unacceptable. How this could continue without any action and the resolution that's before us while it may look like a big deal \$500,000, I could bet you that all of us today here have spent more than that combined just putting pressure release systems, not even including dirt, in our backyards. I mean I have people that e•mailing me pictures of horrific things that that I can pass around for you to just show you the battery backup systems systems. The dirt, the mold that's building on the side of their walls. I mean there's just manhole covers that literally have water bubbling out of them. I have yards that have ducks in them. And we have the added bonus in our particular community, the water is contaminated.

P.O. LINDSAY:

Eileen, if you could wrap up. Your time's up.

MS. COOK:

Certainly. So I'm here today to plead with you and beg with you to look at the situation as a whole and just rectify the situation without any kind of politics. Thank you.

(APPLAUSE)

P.O. LINDSAY:

Could someone from the Clerk's Office get her photo? Renee, could you get the photo? I'm sorry. Doug Cohen. I'm sorry. You and your wife were separated one card.

MR. COHEN:

Mr. Presiding Officer, thank you, members of the Legislature. I'm speaking regarding resolution 1414 which is an addendum to the budget. We started the Hauppauge Youth Organization Complex Project in the year 2001 as a way of rectifying what were deplorable conditions at this field that sits in the shadow of the Dennison Building. We have made tremendous strides with

the support of the Department of Public Works and the Suffolk County Legislature. We have received approximately \$200,000 in grants which has been at least matched by the members of our community in donations. We have built five safe baseball fields and two safe baseball fields. And in response to our community we've expanded the parking in our facility in taking a 100 cars off of {Sinuine} Woods Road and Kings Highway. And now we need to finish the project with support that was assured to us at the beginning of the project. We're looking for a final \$100,000 addendum to finish this project. Now that we have the cars off of the streets, we need too keep the kids out of the parking lot. We're trying to build a playground that will keep the younger siblings of children that are playing at these baseball fields and football fields in a fenced in area and occupied so that their parents can watch their kids play ball while these kids are not walking into the parking lot or walking into the street. Thank you very much for your consideration again. Thank you.

(APPLAUSE)

P.O. LINDSAY:

Thank you. Okay. We have Kellie Alvarez representing Assemblywoman Patricia Eddington. And on deck is Denise Grillo. Hi, Kellie.

MS. ALVAREZ:

Hi, how are you? Good morning. I'm here representing Assemblywoman Patricia Eddington who's currently in Albany. But she would like to go on record in voicing her opposition to the opening of the Suffolk County trap and skeet range. A significant number of her constituents have strongly voiced their opposition to reopening the trap and skeet shooting range which has been closed for approximately five years. The Assemblywoman has received dozens of letters opposing the reopening of the facility. In addition the South Yaphank Civic Association has informed the Assemblywoman of their staunch opposition to this facility. When the facility was opened, those shooting at the range wore head gear because the sounds of the gun blasts were thunderous. But the surrounding community did not head gear.

Local residents stated that they have to contend not only with the deafening noise but also the stress of not knowing whether those doing the shooting at

the range new how to aim and whether the guns were being inadvertently directed towards them or their children.

Many people have stated they had found themselves dodging in fear of stray bullets heading towards them or their children in their own backyards. One family stated they came home from vacation to find trap meal in their pool instead of water. We are very grateful that there were no children swimming in the pool at that time.

It's irresponsible to reintroduce the opening of the shooting range in the most sensitive part of our Pine Barrens that leads to the Carmen River watershed. This is a special groundwater protection area and thus it is inappropriate location for a shooting range. The reopening of the range is against the law without the consent of the Central Pine Barrens Joint Planning and Policy Commission. The County needs to work with environmentalists to find a better location, one outside our delicate Pine Barrens and isolated from the residential communities. The Assemblywoman applauds Legislator Browning on her resolution and all the Suffolk County Legislators who will be supporting it as well as she's also urging Suffolk County Executive Steve Levy to support the resolution. Thank you.

(APPLAUSE)

P.O. LINDSAY:

Denise Grillo. And the Claire Russell is on deck. Denise Grillo. Denise Grillo. Going once? Denise Grillo. Going twice. The last time. Denise Grillo. Clair Russell? Okay. And after Claire is is Bob Policastro.

MS. RUSSELL:

Good morning. My name is Clair Russell. I'm a resident of Smithtown. I live on Kim Avenue which is right off of Tower Place. I've owned my home for almost 24 years now. And I, too, have water in my basement from just several months after moving in. I am •• I live there with my 16•year•old daughter, my 87•year•old mother. I am widowed. I've been widowed for 14 years. And I tell you that not to elicit sympathy but so you have an understanding of what my daily realty is. I don't have the money to put in

pumps. So when my house floods, I get shop vacs out and I call two of my friends' husbands. And they come over and they help me sometimes for two or three days at a time to vacuum up the water and get submersible pumps from Sears and pump that out the window with the hose down to the street.

I'm emotionally, financially exhausted from doing that. And I don't know how much longer I can do that. And I just want you to know that one•third of my adjusted gross income went to real estate taxes this year. One•third. And even one•tenth of that money might have gone to help me fix my basement. I'm self•employed. I have my office in my basement. My office was in my dining room for two months after that rain in October.

One of my neighbors is a contractor. He helped me pull out 1200 square feet of carpeting after that flooding in October. I hurt my shoulder. I had to go for two months of physical therapy for my shoulder because I don't have the luxury luxury of taking time off. If I don't work, I don't bring in any money. This contractor neighbor of mine out of the goodness of his heart will not take any money. And as he can, he's trying to help me re•do my basement; put tile down and not carpeting because I just can't keep doing this everytime with carpeting. Unfortunately he's been very busy. And in eight months he's only been able to get the tile down in my office so that I can at least function again.

I have an 1800 square foot ranch that we pumped at least 10,000 gallons water out of from the Friday when that •• when we had that week of rain, from the Friday to the following Monday morning. 10,000 gallons we estimated. I can't keep doing this. And my neighbors can't keep doing it. Even if I had the money to put in the pumps, I don't have the money to pay the LILCO bill. So you have to help us. We just •• we just can't do it more. I'm exhausted and I know my neighbor are too. Thank you very much.

(APPLAUSE)

P.O. LINDSAY:

Thank you, Miss Russell. Bob Policastro. And on deck is Richard Horser.

MR. POLICASTRO:

Thank you very much for the opportunity to give the community to address the issues in our •• that are very deep and important to us all. I'm here in representing families in the Hauppauge Youth Organization. I fortunately have been involved with the community effort there for now over 14 years. And seeing my first son introduced to this park which is really the only area we have in our community in Hauppauge. And I stress that because we don't have a town park. We don't have a county park where the kids can play baseball, football and softball and the other sports that often keep our communities very busy and kids in active and protected environments.

We created the Hauppauge Youth Organizations Park, which is basically like a sand lot park 25 years ago. We've been fortunate due to safety considerations to upgrade that facility. Being the fact that at this point we have over 1,000 children, boys and girls, at this park on a regular basis both in the spring, summer and fall through all the sports, it has become a community center for our children. And we feel it is very important for us to continue to maintain this through efforts both by donations, community projects of getting grants to help us and also our hard work and sweat that we do to keep this complex. We don't have the town to support us and the county to support us on the upkeep which many of our convenient parks have in our region. So being able to come and get a grant to help bring it to a point where we can continue to maintain it into the future would be very much appreciative.

I again •• I thank you for this opportunity to give you an overview of what this park means to our community. And again it's very important to understand we do not have a town park. Hauppauge exists in the middle of Islip and Smithtown. And we've never had the convenience of having a town park for us. So this really becomes our community center. And that's, I think, very important when you look at supporting us with this grant that we need to maintain our fields. Thank you very much.

(APPLAUSE)

P.O. LINDSAY:

By our rules, we •• it's almost •• it is 11 o'clock. We're supposed to go into

the agenda. In light of the amount of people here that want to speak under the public portion we're only up to card 19 out of 59. I'm going to make a motion to waive the rules to extend the public portion for one hour.

D.P.O. VILORIA•FISHER:

Second.

LEG. ROMAINE:

Second.

P.O. LINDSAY:

All in favor? Opposed? Okay. It's carried.

MR. LAUBE:

18.

P.O. LINDSAY:

Before we continue with the public portion, though, under presentations, she was not here in the beginning of the meeting, I'd like to call Maryann Spencer who was our nominee for the CEQ. Maryann, are you here? Maryann Spencer, please come forward. Would you like to say anything, Maryann? I know you're volunteering to serve on CEQ for us. We appreciate that.

MS. SPENCER:

Yes, I am. And I would like very much to do that.

P.O. LINDSAY:

Would anyone like to say anything? Yes. Legislator Vilorina•Fisher.

D.P.O. VILORIA•FISHER:

Maryann, it's very important that the other Legislators know as I do the kind of background you have with regard for to historical preservation. If you could just give us a little bit of that; just a thumbnail sketch of your commitment to that.

MS. SPENCER:

Yes. I've worked with the historic preservation for 25 years. I chaired the Historic District Advisory Committee for the Town of Brookhaven for ten years. And I'm on the Suffolk County Historic Trust. I've also served as a trustee for {CEPLIA}. Our community is very important to me. All of Suffolk County.

D.P.O. VILORIA • FISHER:

Thank you very much, Maryann, for coming down. And we look forward to the passage of the resolution and to have you serve on CEQ.

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

Part of that was my question why you would want to serve on CEQ. And I think you've answered that. Do you have the time?

MS. SPENCER:

Excuse me?

LEG. ALDEN:

Do you have the time to serve on CEQ?

MS. SPENCER:

Yes, I do. Yes, I do.

LEG. ALDEN:

Are you presently serving on any other boards or ••

MS. SPENCER:

The Suffolk County Historic Trust yes.

LEG. ALDEN:

You're from ••

MS. SPENCER:

I'm from East Setauket.

LEG. ALDEN:

Good. Thank you.

MS. SPENCER:

You're welcome.

P.O. LINDSAY:

Thank you, Maryanne.

MS. SPENCER:

Thank you very much.

P.O. LINDSAY:

To continue with the public portion, I'm sorry, Mr. Amper, I mispronounced your name. Richard Amper. And on deck is Tom Lamendola.

MR. AMPER:

The mispronunciation of my name is the least problem that I have. The big problem that we're here to face today is one of that I think the County Executive misunderstood. I think we all support a trap and skeet facility for Long Island. It's a good and useful sport. It's proposed now, however, that •• and I've sent you some communications on this and some technical reports from those who are concerned about lead and other environmental impacts. This is not a NIMBY issue with the environmental community. You would have heard from others who have now as a result of a long public portion not been able to be here by will supply evidence by citizens campaign. All of the mainstream environmental groups are concerned that the reopening of this facility poses a very significant environmental problem. This is not the kind of thing we would ever have let be there in the first place had we known better about this resource.

This Legislature has been second to none in helping to preserve this ecosystem. You know that this facility in the core preservation area the Pine Barrens, the most •• most significant and sensitive portion. It is in a state designated special ground water protection area in the Carmens River

corridor. This is a regional resource. So I guess you get a lot of people who have come down here and say you're doing the wrong thing. In fact I think the County Executive is doing the wrong thing here. I have offered repeatedly as other environmentalists, user groups, and so forth to sit down and say not no. Too often people who are advancing an agenda even an important public health issue like drinking water protection and open space preservation will come down here and say the public spent \$500 million on this resource. And the last thing you want to do now is to re•engage in something that we did without very much understanding or knowledge 45 years ago and something which ought not to be considered now on the basis of what we know.

We will go to the Pine Barrens Commission, State Pine Barrens Commission. I have explained to you how the law applies to the resumption of activities that have been discontinued for more than a year that would constitute development. We've told all of the private property owners on Long Island that they may not develop in that area because of the importance of public health and safety protecting the core preservation area. It would be wrong for government then to go in and do precisely what we've told them under law that they •• that they cannot do.

But again rather than to be another one of the naysayers that come up here and say you shouldn't do this, we should take the time out, we should figure out what to do; we are saying proactively we'd like to work with this legislature. I will meet with the County Executive next week for the exclusive purpose •• and I want to involve user groups, I want the local community to be involved, I want this Legislature to be involved. This is a huge and enormous county. There is certainly resources available and land appropriate to this issue. This is not shall we do trap and skeet shooting. It is simply where we should do is.

So rather than for us to have a conflict about this. I would love it if this Legislature in response to the •• the Legislator in whose district this lies would defer to her, give us all a chance including any members of this Legislature that are committed to seeing this facility move ahead, let's get it where it belongs and not in the most sensitive of the Pine Barrens. I think we can all do if we will. Thank you.

(APPLAUSE)

P.O. LINDSAY:

Tom Lamendola? Going once, going twice. Tom Lamendola? Sharon Schmidt? Sharon Schmidt? One more time. Sharon Schmidt. Kelly Maselli? Kelly Maselli? Is Kelly Maselli here? No? Last call Kelly Maselli. Kathy Lynch. Kathy Lynch? No, no Kathy Lynch. Okay. Eileen Taborsky? Eileen Taborsky. Eileen Taborsky. Kenneth Redmond? Kenneth, they must have all went outside and left it all to you.

MR. REDMOND:

I guess so. I don't know. How are you doing today?

P.O. LINDSAY:

Very good. Thank you.

MR. REDMOND:

All right. I live on Clearbrook Drive. And it's ironic, I mean, because with all the water problems that we had there and the Village of the Branch. I've been trying to get this situation taken care of since 1995, since I moved in. I went to the Village of the Branch Mayors, Ira Cassane. I had the engineer come to my house. I had to move all my heating equipment into my garage because it was flooded all the time. The washing machine and dryer I to get out of the basement. I spent about \$5,000 on a {b dry} system to try and get French drains system around the basement to get the water out. They can get it out of the basement but still sometimes it stays in there and then it goes to my backyard and floods my whole backyard up where my children play and I'm afraid of any kind of infestation of bugs and mosquitos and stuff like that.

And I'm just trying to see if we can get anything done in Smithtown, in the Village of the Branch and Hauppauge any kind of area that we live in right here, it's just out of control right now. I spent enormous amount of money in taxes. I mean I'm •• we're trying to survive here. My LIPA bill is phenomenal. I mean the pump is going constantly. You probably heard over and over again. I mean I have mold •• that's black mold. I mean, and

we have to get it removed. I'm afraid of my child getting sick. And that's why I'm here. I'm just trying get something done here, you know on Clearbrook Drive and in Smithtown and the Village of the Branch and Hauppauge everywhere. If we can try and get something done •• I don't know what the solution is really. We need the Core of Engineers here to figure something out. But try to get something done. All right? Thank you for your time. I appreciate everything. And thank you so much. You take care now.

(APPLAUSE)

P.O. LINDSAY:

Thank you, Mr. Redmond. See that Mr. Redmond, we're going to make you a movie star. You did film in here right away.

April Alexander and Felix Antonucci is on deck. But April Alexander. Thank you, April.

MS. ALEXANDER:

Good morning. I'm here to speak on on the job center here in Hauppauge. I have two things to say. One is that I know that vendor contracts need to be approved by June 30th. And I'm really here to stress and ask you to please sign those contracts. And the reason why I say that is that there's a very important group called the Job Path Club. I've been out of work for almost two years. If it wasn't for the Job Path Club, I'd still be looking for work.

This is a very popular club for people like me who have difficulty finding jobs for many different reasons. There's 25 to 30 participants who come to this job. Last Wednesday when we had the pouring rain, the room was packed. People come there for assistance. They come there for an up lifting feeling. If you've ever been unemployed for an amount of time, it could be a very depressing, very sad situation. Your families get tired of hearing about your situation so you come for support.

So I really stress if you can to pass those contracts for the vendors so that

this particular club will not be shut down. If the contract isn't passed by the 30th, they will have to shut this club done.

Secondly I've come for the importance of the job center. I have talked with Legislator Barraga. I talk to his office staff who have assured me that the •• some of the things that I've been hearing about, the center closing is not going to happen, but I have seen the staff been cut in half. I really have to stress to you how important the center is •• been in my life and to many of my friends that I've met there. You really need to try to •• I know a lot of it's with the federal government, but we need this center. And the numbers are done right now but I've been seeing in the last two weeks bunches of groups coming in with 25, 30 people. If it wasn't for this center, I really truly would have had to left Long Island because it was just so difficult in finding something.

So I appreciate your time. I appreciated Legislator Barraga speaking with me and for •• his office has been very kind to me in finding out information. And I do hope that you will support this center as hard as you can because it's a very important center. Thank you very much.

P.O. LINDSAY:

Thank you very much, April. Very concise statement. Okay. See if I can do better the second time. Felix Antonucci. And on deck Walter ••

THE AUDIENCE:

Bejsovec.

P.O. LINDSAY:

Bejsovec. Thank you.

MR. ANTONUCCI:

I'll make it short. I have the same problems all these other people related. I've lived in Smithtown, the Village of the Branch for 40 years. I've had the same water problems that all these other people have mentioned. I've gone through •• I don't know how many pumps. I have two pumps pumping continuously. I've appealed to many government agencies to help the situation all to no avail. I think it's time that you people 0or some

government agency take responsibility and remedy the horrible situation we've had to endure all these years. Thank you.

(APPLAUSE)

P.O. LINDSAY:

Felix. Thank you, Felix. Walter Bejsovec.

MR. BEJSOVEC:

Okay. I'm here because of the water problem. I moved to Smithtown in 1968. After I was in the house about three years, we had a little water problem. So •• my neighbor had a real problem where his floor buckled; then they couldn't contain the water. So after the basement got dry, I said I'm going to put a floor on top of the floor. So I put a floor on top of the floor. I put a hole in there, a sump pump. And everything was fine for 30 years after that. 30 years I didn't have a puddle in the basement. Then I read in the paper about somebody wanting to put more boards in Miller Pond to rescue a historical site or something. I don't know even know where that historical site is. But they said it was flooding. And if we choked the water back •• so I read the article. It didn't bother me. And then we have a little rain and all of a sudden I got water in the basement again.

The only historical thing is me. I'm 75. I don't have any old coins. I don't have any old stamps. I don't have any old cars. I'm the historical thing. So •• I didn't think it affected me when I read it. I said so they put boards in and they're saving the historical site. Now I see that I got a problem. I don't have a problem like a lot of these people but I have a problem. So I think, yeah, to lower Miller Pond and then to clean out •• the first time it was cleaning out underneath Nesconset highway. They did that 30 years. No problem. Now we got a problem. Thank you.

(APPLAUSE)

P.O. LINDSAY:

Thank you, Walter. Lois Mann?

THE AUDIENCE:

She had to leave. She had a class to teach.

P.O. LINDSAY:

Okay. Thank you. Art Franauff. And Joellen DeLuce is on deck.

MR. FRANAUFF:

Thank you for giving me this opportunity to speak. I'm going to echo the sentiments of a lot of my neighbors who have been here. I bought my house in Hauppauge in '89. Had I known what was in store for me, I never would have purchased my house in the area. But unfortunately a couple of years after I moved in, I began to have the flooding problems. And my problems pale in comparison to a lot of my neighbors but they're similar in scope. Horrendous LIPA bills, inconvenience. One of my daughters has developed an asthma problem which doctors attribute to mold in my flooded basement. But my problems are not nearly as severe as my neighbors.

But I support resolution 1593 I think as a start. I'm not nearly as knowledgeable as some of my neighbors in the past history of this. When I first was aware of the problem I thought maybe nothing had been done because the Legislature, the town government was not aware of this problem. But I become more knowledgeable about this situation, it doesn't seem to be that that's the case. It seems to me that the governing bodies of the county Legislature and the town government have been aware of this situation for a while. And that makes it doubly frustrating because nothing's been done about it. So I'm here to ask you in the least to pass this resolution as a start and as only a start to alleviate this problem that's affecting many people in significant ways: Economically, health•wise. And something should be done. Thank you.

(APPLAUSE)

P.O. LINDSAY:

Thank you, Art. Joellen DeLuce.

MS. DELUCE:

Yes, thank you. My name is Joellen DeLuce. I'm a mother of three children

in the East Islip School District. I'm also the secretary of the East Islip SEPTA. I'm here to talk about a very important issue Timothy's law, M 032. I have three children as I mentioned before. Joe 15, Emma 11 and Matthew 9. Okay? All three have been diagnosed with ADHD. My oldest Joe was diagnosed eight years ago and we're still paying his diagnosis off six years later. We were entitled to 80% of what was reasonable and customary according to my HMO. My children's medication •• two are medicated, my two boys •• include Aderol Stretara and Welbutrin and Clomodin. They total \$850 a month without my medical insurance. Okay?

My eldest receives psychological therapy, both family and individual. We are truly blessed. We have health care. And thanks to it my children are doing well in school and socially. I am concerned with Timothy's Law. Okay? ADHD is diagnosed as a •• with DSM as a psychological condition. And I learned about that when he was first diagnosed. He receives psychological treatment and medication. He receives social skills. He has adaptations done to his education. He's a bright capable little boy and he needs every help he can.

My fear is without Timothy's Law, there could come a day when my son would be denied these things and he would not succeed. As he's entering into puberty, the need for substance abuse and for drug needs may occur. It's something I had never considered having three children as part of my parental role. When I get up at eight o'clock on every Saturday to take him to Roslyn, the doctor who will still accept my plan, who's a child psychologist, I question is this what I had envisioned as a parent? Please make sure that Timothy's Law is passed. It is important to Suffolk County families. Okay? So that my child as well as all the other children do not lose. Okay? We need to know that if our children need psychological services, they're available. Okay? And that we can get them. We need to know that there'll be equal medical coverage for people with psychological needs. This is the year 2006, you know. We have enough to deal with and we take on a responsibility.

It is always more prudent and inexpensive to address an issue at its first site which we've been doing. Okay? My general choice to put my both boys on medication was to prevent them from self•medicating themselves. I am ••

we are the face of Timothy's Law, my family. And we are very active in our community. We need your help to insure that Timothy's Law is passed in the Legislature before the summer's session ended and that you stand behind it. Please excuse my speaking. I've never done this before. I thank you very, very much for your support. I got the gracious approval of my three children to get up and speak in front of you and to talk about their particular problems. And I thank you.

(APPLAUSE)

P.O. LINDSAY:

Thank you. Joyce Cattani? Joyce Cattani. And on deck we have Joseph Magliato.

MS. CATTANI:

Okay. Good morning. My name is Joyce Cattani. I'm the East Islip SEPTA president. I'm also the suffolk region PTA special ed chair. I'm a mom and friends to a lot of people that are facing the Timothy's Law issue.

I'm here to speak to behalf of the resolution MR 032 Timothy's Law mental health parity. I'd like to thank Legislator Stern and the other members of the health and human services committee for their support in this matter.

November of 2005 New York State PTA passed a resolution at our convention sporting passage of Timothy's Law. Kim {Sepiaty} who's an East Islip residence and an advocate for Timothy's Law came to our January SEPTA meeting and spoke with our members about Timothy's Law. She told her story. And our group wrote letters to our state representatives. We hardly get any answers. We e•mail regular. Excuse me. And we write letters and we make phone calls.

In this country one of our four people suffer from mental illness. That's 25%. If you look around the room, 25% of us could be facing these type issues. This opened up a discussion within our group and many of the members that are affected told me how widespread this is. A mom with a kid who has HDHD ran out of her allotted visits and could no longer afford to

bring her daughter for treatment. Her therapist recognizing the situation offers some suggestions to the parent; none of which came close a therapeutic situation. She said I know your daughter needs. I know she needs to really talk to somebody. She needs comfort. She needs love. Get her a puppy.

Another parent who needed the help for herself confided in me that she, too, had run out of her allotted visits and now was working toward her goals unsupported. As I said our group has written letters, made phone calls. This is like a small group that really has come behind this and Joellen is one of my people who has been going through this.

My brother was diagnosed with either bipolar or schizophrenia at the age of nine. I'm not too sure what it was because the stigma, my mom was not too thrilled on sharing information. He spent time in facilities. She was a simple mom with limited resources and hit many road blocks along the way. On December 20th thinking that he had no way out, he shot himself in the head. That was 1987. My kids never got to meet their uncle. They never had the benefit of having him around to hang out with him. I had •• I have two other sisters and a brother so that's four right there. So your 25% hit the one meaning my brother.

And the unfortunate thing about this is that the more people that I speak to, and I speak to a lot because we're just bringing the information out, they're going through the same things as my mom did; coming up against the same road blocks and everything else. So that's 20 years. And that really is a sin. Thank you. Again, thank you to Legislator Stern. We really appreciate that. Thank you.

(APPLAUSE)

P.O. LINDSAY:

Thank you, Joyce. Joe.

MR. MAGLIATO:

Yes. Joe Magliato. I'm a resident of Smithtown, County of Suffolk. And I'm here also to speak to the ground water issues that many of my neighbors are suffering from and that you been listening to on a regular basis here so I figured you know what? I might as well throw my two cents in and maybe offer you some different prospective.

I'll start with the state commercial for •• that you all have may have heard at one point or another where they warn us, the state and Governor Pataki's Office to empty out little tin cans. Why? Mosquito problems and the West Nile Virus. Now we know and I have personally witnessed and disposed of dead crows in my neighborhood. And I laugh when I hear about emptying little tin cans because we're surrounded by standing water. And this is absolutely moves and goes to immediately a health issue.

With respect to that I won't discuss the mold spores and the rise of the asthma conditions that a lot of the people have stated here. But what I will say is in an area that I've lived in for 13 years, I need to warn my children not to play in the water, in the curbs because it's sanitary effluent. It's sanitary effluent that is spilling out of our cesspools into the street. Now most of you say well, okay, it'll run down into a catch basin, but some of it doesn't. Some of it dries. And it becomes dry and it goes into a micro biological spore condition.

Now I urge you all to unanimously support as a beginning the \$500,000 that you've committed to mitigating these ground water conditions. I would ask a comprehensive study for the infra structure for our area. That's what we need. And when I have to warn my children in an area that the homes have been valued upward of 600 and \$700,000, I think it's a disgrace to have them play in sanitary effluent flowing.

Just as an example, the kind of money that's out there, Southampton Township found \$2.3 million to lower the Hook Pond outflow. The Hook Pond. It's an outflow pipe that's trenching through the dunes to mitigate ground water conditions in the homes that border this particular pond. So certainly after twenty years to kick a board out of a pond, if you could find \$2.3 million I would urge you •• if we don't have an infrastructure, we don't have society. You don't have to look very far to see water problems.

Whatever the case may be, whatever the conditions, it isn't just an act of God, you need to provide as legislators a safe and secure infra structure to our community. Thank you very much.

(APPLAUSE)

P.O. LINDSAY:

Thank you, Joseph. Daniel W. Donnelly. And Roseann Young is on deck.

MR. DONNELLY:

Good morning, Presiding Office, Mr. Lindsay, other members of the Legislative body. As most if not all of the people who sit on this Legislative body know that I was the prosecutor for the town of five years and then I was elected to Highway Superintendent. I thought I knew a lot when I was the prosecutor. When I became the Highway Superintendent, I said five years in that town as a prosecutor was not even equivalent to politics 101.

First of all I would like to address a couple of things but I want to make sure I don't run out of time. So if there's anybody else here who wish to speak, if they'll concede they're time to me, I have some inside knowledge.

First of all, Mr. Kennedy, what I had said to you earlier, I'm not trying to button hole anybody. I want the situation addressed. Now in my capacity as the Highway Superintendent, we had a situation in St. Jonlan road where I was accused of shutting down the roadway because it was a vengence against Supervisor Vecchio. Well, first of all he claims that all of these problems to this young lady here is an act of God. I says I'll analyze this to one thing. Pat Vecchio is not the deity. But in essence think about this, analyze this. If we have a bath stub and it's half full, equate that to where we have ground water and it's at a certain height, half full. If you stepped into the tub and your wife stepped into the tub and you had four, five other people step into the tub, that tub is going to over flow because we're displacing the water.

What I say is how can it be an act of God knowing that this is the way the ground existed and as far as the ground water. If we didn't know that's how

it existed, then we were delinquent in how we issued our permits because, number one, you might have to do an environmental impact study or at least Upstate they make you do a percolation test which means the water's got to be able to disburse other wise you need a different type of drainage system.

Now I would say before the body and all the people, I would like the question answered. How are these permits constantly issued and again and again? And certain individuals have had developments where they were approved to build not just one house or two houses but multiple houses. And it keeps going going on and on and on. So I say it is not about an act of God. We are taking and we're altering the way God actually made this planet or this town that we live in.

When I was the Highway Superintendent and I got sidetracked, we're back to Harrison Pond. The town decided that finally after all the flooding problems they were going to address the problem with the culvert which I kept bringing to their attention and I was told I was only the Highway Superintendent. Me, I am just like every other person. Now what happened was •• and I was told this by the Department of Environment and water ways from the town, some of the people from the engineering department that there was \$80,000 that the State DEC gave a grant to the town to dredge Harrison Pond. At the time when the work was done, it involved •• and I won't get into technical stuff but they had to make concrete walls and other things so they were able to utilize and try to remedy this problem. That money to my knowledge was not used. Because supposedly I was also told what happened is as a result of not addressing that flooding, that dredging in that pond, island started to build up. And then I was told that well, what happens is now it's become been wetland and we can't dig that out of there. So Legislator, John Kennedy •• Jack •• we know each other •• I would say that look into that. I'm saying this not as other than what I told before the meeting. I'm not looking to button hole anybody. I'm here to try and impart some of the stuff •• the knowledge I know. As far as they're talking about the weirs, we know that's the boards and the controls, the raising and the lowering of the water.

P.O. LINDSAY:

Mr. Donnelly could you wrap up? You're way over your time.

MR. DONNELLY:

All I will say to you and then also as far as the standing water, that's another joke. Because what happens is we could wind up in certain places where there are mosquitos. Because I moved to the Village of the Branch. And I'm not here on behalf of myself. What I'm saying is if you covered it with the enough cleanfill, now what you've done is you've increased the elevation, which it is above the groundwater level. There is no standing water. People will scream its wetland you can't kill the plants. Are we more concerned about saving the plants or protecting our children and their future, as well this young lady right here. To me middle age is 90, and we'll be around to 120 or 150. Good bless you. Thank you.

(APPLAUSE)

P.O. LINDSAY:

Roseann Young and we have Dan Palmer on deck.

MS. YOUNG:

Hello, good afternoon. It's morning still. I don't have a speech prepared I'm telling you from my heart what I've been going through since I bought my house in 1986. We've had the pumps going on 24/7 for as long as 14 months straight and as far as 17 months straight. We've had them going on every 30 seconds. I had a town engineer come into house and he turned around told me to fill the basement up with sand. Which is not the right thing to do as far as I'm concerned, that would create more mold. It got to the point where my husband commutes into the city 12 hours a day I'm taking care of everything at the house and I'd be going outside with the hammer breaking up the water that's flowing out to the curb because now it's ice. And breaking it up so it would travel down into the storm basin. It's a nightmare. They're going on 24/7 right now. The water is on the floor. Which I can't believe you walk down there I had the extra system put in and where they laid down the pipes, there's water just seeping up through the ground. My yard floods. This was suppose to be my dream house. I bought this house for my yard and the basement for my four sons. We cant' use the yard. My retaining wall is breaking apart. That's going to cost

thousands of dollars. We have a basement that is shot. It smells. There is like rust coming up. There's a film of oil on the top. It's just horrendous. We certainly need help. I have pictures. I showed you last week I have some more. My yard is a lake. We've had water that there wasn't a blade of grass showing. We had to get a commercial pump to pump out my yard because the town could not come up a certain amount of feet on your property. I've called, they do what they want. They don't help you. Got to the point where they were telling me you can't have the water running out to the curb. And I told them in so many terms that if you send code enforcement to my house, be ready to throw me in jail. Because you don't know what it's like. And I hope that after hearing everybody's problems and after hearing last week, how the conditions are even worse than what I have and I consider mine bad, we certainly need to have some kind of help here. I want to keep my house. I want my grandchildren to come visit. And I hope that everything falls into place the way it should.

P.O. LINDSAY:

Thank you Ms. Young. Dan Palmer and Cesar Malaga is on deck.

MR. PALMER:

Good morning my name is Dan Palmer. I live at 18 South Avenue in Smithtown. I have bought my house and have lived in Smithtown for four years. I'm a father now of one month old twins and a sixteen month old son. This issue apparently now is spanning at least four if not potentially five generations. We're trying to keep people on Long Island. I'm not sure that I'd want my kids to live in an environment where this may potentially still be an issue that's gone uncorrected for two or three more generations. Personally, it's an issue that's affected the health and well being of so many people and their families. And it is a correctable issue. In October of 2005 I was out of town, my wife and then eight month old son were left to pump out sixteen inches of water from our basement because I was out of town. To not correct the problem is implied acceptance by the Legislature and our local governments that it's okay for my wife and my eight month old son to pump out sixteen inches of water from my basement as well as in Elsie Lane's case. For her to go down the stairs to pump the water out of her basement, no person should have to deal with that, never mind my wife, my baby, Miss Lane. And we're lucky at least in my personal case. We only

have to generally deal with the damp, moldy and spider•infested basement. Most of my neighbors continue to pump regularly each day.

My story is not unique. And we like most of the people here are not asking for sympathy. Sympathy should be left for those who deserve it. Families in the Midwest who have lost their houses and entire towns destroyed by toronados, people in New Orleans, people in Florida who have no choice in deciding where their hurricane or where a hurricane may hit. There's is a situation of fate or is an act of God as someone said today. Our's is not. Our's is a situation of choice. The choice of the local government to not act for nearly 30 years. It is unconscionable that these hardships that we're all going through are due to poor maintenance of existing infrastructure and failure to correct a very correctable situation. I urge your unanimous support and further funding to drop the groundwater table.

(APPLAUSE)

D.P.O. VILORIA•FISHER:

Cesar Malaga. Go ahead, sir, you have three mintues.

MR. MALAGA:

Yeah, my name is Cesar Malaga. I'm the President for the Hispanic American Association. Just to •• first, I want to thank you, to the Legislators and also Suffolk County Legislature, for improving public •• bus public transportation of Suffolk County. All of you who are not new here know that we've been asking for this public transportation improvement to the bus for the last eight years. I have come many times. Now that Phase I at least is taking care of this, especially S 92 in the east end of Long Island. Now we hope, you know, that we'll be able to take all the people that need transportation. Now, that's phase I.

Phase II I have also spoken to you for the last eight years. In Suffolk County we need Sunday bus service. It's not a luxury, it's a necessity. So we should be working towards providing the Sunday bus service. Now many of says, "Where are we going to get the money?" Well, you are getting three times as much in taxes in the gasoline taxes than you were getting about three years ago. I used to be •• there was a study last year

concerning just the •• you know, mothers going out to pick up their children, you know, from school or take them to sports.

Suffolk County made over \$2 million in extra taxes. Now, talking about taxes, you see in the chart in front of you that the Station 1 gets 6,001 gallons of gas, he pays \$2.45 a gallon. That's the total cost, \$14,702. Now the federal tax is 1,104.18. New York excise tax gasoline is \$480. New York Petro business tax is \$954.16. And now this is what you call •• New York passed through sales tax is 1020.17. So in total tax, the federal is 1,104 and New York State •• New York taxes is 2,474. Tax and gasoline that we pay is 24% of the gas that a dealer gets from the supplier.

So now I'm asking the Suffolk County Legislators to reduce the 4.5, you know, percent tax you have to 2%. And you'll still be making lots of money. And the State should be also likewise 4% to 2%. That would make a better deal for many of the people in the State of New York.

And the other thing I want to ask you is •• many times I ask you here, Legislators, not to destroy the open space. In Yaphank the taxpayers own about 400 acres. Now you are planning to build, you know, affordable housing, this or that, which we do not need. The people who need affordable housing, they live in our communities, in our hamlets, in our village. That's what they need. We have to build affordable housing. In the Town of Babylon, for the last eight years, I asked for affordable housing. They never built affordable housing, but they did allow to build senior citizens housing in which, you know, most of the residents are from New York City and Brooklyn.

P.O. LINDSAY:

Mr. Malaga, your time's up if you can wrap up. I appreciate it.

MR. MALAGA:

Okay. One second, okay? So we need affordable housing to be built in the communities where we have this, you know, the streets, the sewers, everything, the schools. If you had to build affordable housing in Yaphank on the 400 acres, we have to build •• bring power in line0 and we'll destroy an open space, which I see here in the •• you know, that you are going to

approve •• you've got to, you know, conserve proposition •• aquisition of eight, or, you know, open space lands. And, as I say, you know, we need open space, but don't destroy the Yaphank, the 400 acres that we own, that the taxpayers own in Yaphank. Okay. Thank you very much.

(APPLAUSE)

P.O. LINDSAY:

Lawrence Raful, Lawrence Raful. And on deck is John McConnetti. McConnell, I'm sorry.

MR. RAFUL:

Good morning ladies and gentlemen. I'm Larry Raful. I'm proud to serve as the dean of Touro Law School. We'll be moving, as you know, to Central Islip this fall. On your agenda today is a motion by Legislator Stern. We have been working with the County Attorney Christine Malafi on increasing the number •• increasing the services for people who have suffered from domestic violence. Domestic violence unfortunately is a growing disease in this County. And I'm only here today to pledge to the board •• to the Legislature that if this measure's approved, we pledge to do all we can to use this money in the best interest of those citizens of this County to try to help all the victims of domestic violence. We are proud to work in association with the County Attorney's Office. And we're looking forward to the possibility of not only providing service but increasing visibility among all of our students and our graduates so that all of them will take more probono cases in the area of domestic violence and try to help as many people as we can. So I thank you •• when the matter comes up, I would thank you for your support and for your interest. Thank you very much to Legislator Stern. Thank you so much.

P.O. LINDSAY:

Thank you, Lawrence. John McConnetti? McConnell. Okay. It looked like a T. I'm sorry, John.

MR. McCONNELL:

It's okay. They should be together.

P.O. LINDSAY:

The one right behind you is same name.

MR. McCONNELL:

Good morning, Presiding Officer and members of the legislature. My name is John McConnell. I live in Yaphank. And I'm here to strongly support the resolution of Legislator Browning to keep the trap and skeet closed. Let's be on record. Let's be clear about this. We have said this many times. We're not against the trap and skeet shooters. Let's find a new place. We have said this to Dick Amper, Pine Barrens Society said this, let's find a new place. This is not the place for it. It's very highly contaminated. We don't want it anymore.

Speaking of contamination, I have a report here. I think all of you Legislators up there have it; from {Dermeny} Consultant, which is geologist/environmental scientists. And they did a study or review of the study •• the conditions in the park. And they're appalling. Okay? The first paragraph gives a little •• I'm going to go through it very quickly. First paragraph gives a little introduction, the history, whatever. What's the last sentence in the first paragraph? "It is clear that the shooting range has adversely impacted the soil and groundwater at the site."

What does the second paragraph •• "lead may cause anorexia, vomiting, convulsions, anemia, learning disabilities in humans." Well •• and so on and so on. So on and so forth. Also the significant adverse impacts to both humans and wildlife. That has kind of been glossed over by the people who, you know, kind of support this, I guess. All right?

The third paragraph "results of previous sampling performed at the site." There's an attachment at the end. Okay? This is sent to Executive Levy, also, who said he wasn't going to do anything at the trap and skeet until he solved the difference with the town anyway. The previous sampling, the six •inches below grade, the lead concentration, New York State Department there, lead detections were as high as 113,000 parts per million while the cleanup objective for later is 61 parts per million. Arsenic and {antimy} was also noted in this study.

For the groundwater analysis, lead was not found to be present in many of the ground water samples. However, in some of the areas near the range levels one to two were detected parts per million. Billion. Two wells were installed in the area of the shot fall and showed lead concentrations of twenty parts per billion. The New York State •• blah, blah, blah •• groundwater standard is 25 parts per billion. Based on this review they conclude that the operation of the shooting range has impacted this soil at this site due to the acidic soils. And they say rainfall increasing the availability of lead and other metals to migrate downwards into groundwater and possibly arsenic and {antimy} migrate down through the soil •• okay, I'll be finished up pretty soon. The shallow soil in the shot fall removed, this reducing •• however all the •• all the lead and other metals have not been removed since they are present to the depth of 19 feet.

In conclusion, there is conclusive evidence that this site has been contaminated by past shooting activities. The scenario will repeat it if the shooting range resumes operation. In addition since lead and other metals are already present in the soil column and groundwter respumption of shooting activities will have a more immediate and greater impact on the soil and groundwater. Again and repeat, let's find a new place for the shooters. We're not against them. Thank you much very.

(APPLAUSE)

P.O. LINDSAY:

Thank you, Mr. McConnell. Johan McConnell.

MS. McCONNELL:

Good morning. My name is Johan McConnell. I'm President of the South Yaphank Civic Association. The people you see standing behind me are members of my civic association who feel that this issue is so important that they have taken the time off from work to come and support Legislator Browning and her resolution 1738. We'd like to thank Legislator Browning for all of her support and for listening to our concerns.

The posters that my husband is holding up shows basically some of the conditions at the range. As you possibly know the vendor has signed his license. He has been in there. One of the them is a previous shot taken in

December of sporting clay number ten. If you'll see next to it, you'll see what he's cleared. This is in the core preservation area of the Pine Barrens. He has removed trees and undergrowth in the process of cleaning things up. The other pictures show the contamination in the sporting clay area where we have uncovered more sporting clays, more wads, more discarded shells and lead.

As my husband stated, we are not opposed to the trap and skeet range. Myself I'm a licensed hunter. I have taken lessons. I do shoot. I am opposed to the location. It is in the core preservation area. It is in the Carmens River watershed. Both of these are critical environmental areas. In 1988 Suffolk County designated these to protect the groundwater.

And whenever there's a discussion about closing the range, the figure of \$7.3 million is mentioned as to what it would cost the County to close the range. This figure comes from the August 2002 report prepared by Dick {Pedicor} and Company. Actually there are two cost options mentioned in that report for treating the total soil lead removal on the property. Page 13, not 14. Option number one is treat and dispose at a solid waste landfill at a cost of \$2 million. Option two, dispose at our hazardous waste landfill for \$7.3 million. It's interesting the supporters of the reopening insist that there's no lead contamination at the site and yet they use the figure for the removal of hazardous waste. I don't think you can have it both ways. You can't claim that there's no lead contamination and then use a figure of \$7.3 million to clean it up which includes the cost for removing it to a hazardous waste facility.

As my husband stated, we do have a {Pedicor} Report and it shows that lead contamination to the property goes from a low of 65 parts per million to a high of a 113 parts. 113,000 parts per million. This is distressing to us as residents of the Town of Brookhaven because of the debris that was just recently placed in the landfill at the Town of Brookhaven. The debris was not tested. Suffolk County Health in 2001 said, oh, don't worry about it. It's only 56 parts per million so it's perfectly okay to go ahead and put it in the landfill. The report shows again that levels go all the way up to 113,000 parts per million. The Brookhaven Landfill can only take things up to 400 parts per million.

I thank you for letting me speak today. I wish •• hope that you will vote yes for resolution 1738. And I would like to present Legislator Browning with additional petitions of over 200 signatures. At a Parks Committee meeting we presented 800 signatures to her. So we have a 1,000 signatures of people who are opposed to the reopening of this facility located all over Suffolk County. Thank you.

(APPLAUSE)

P.O. LINDSAY:

Thank you. Robert •• it loos like Blauburn. Blauburn? Robert Blauburn? I might be messing up •• messing up your name. I'm sorry.

MR. BLACKBURN:

B•l•a•c•k•b•u•r•n?

P.O. LINDSAY:

Right. I can't make it out. I'm sorry. It must be you. Go ahead.

MR. BLACKBURN:

Well, I didn't want you to know who I was when I spoke to you. No, I'm here also on the groundwater problem. Most of the •• the residents before me have already expressed my concerns. I've been a resident of Smithtown for almost 43 years; however my present house where I am, I've been experiencing the water problems for 19 years. I have also spent several thousands of my own money to alleviate the problem. It used to be that maybe once a year or every two years I'd have to pump the water out. Now it seems to run almost consistently every year. So I think we need some assistance at this time from the Legislature and the town to alleviate this problem. And I request your assistance in that regard. That's all I want to say. Thank you.

(APPLAUSE)

P.O. LINDSAY:

Thank you, Mr. Blackburn. Charles Michaels? Charles Michaels. And on deck is John Palasek.

MR. MICHAELS:

How are you doing? Charlie Michaels from South Avenue. I have all the same problems of everybody else's experience in reference to the groundwater problem. I'm appalled that you're only offering \$500,000 aid. In private business that wouldn't even get an idea out the door but let alone the construction design. It's not enough money. Maybe it's the beginning. I'm not sure. New Orleans, like I said once before, New Orleans has been pumped out in a matter of a few months. I can't believe this has been going on 20 to 30 years. Something's got to be done right away. Thank you.

(APPLAUSE)

P.O. LINDSAY:

John Palaske. And on deck is Joanne Steigerwald.

MR. PALASEK:

Good morning or good afternoon as the case maybe. My name is John Palesek. I'm a resident of Yaphank near the Southaven trap and skeet range. I also support Legislator Browning's resolution to move the range to a new location taking it out of a core preservation area eliminating the well documented threats to the environment which have been •• actually amassed by Suffolk County and by four separate studies along with outside consultation groups. There is at least several volumes worth of information regarding that.

As far as the money's concerned, I hear a lot about the people of Smithtown requesting more than \$500,000 for their problems which I do sympathize with. I just want it to be known to the world and the people of Smithtown for their interest that the County of Suffolk has appropriated already \$800,000 to reopen a facility which basically contributes to pollution. The proposed budget for next year adds another \$250,000 to that. That makes a total of \$1,050,000 for what is essentially a pointless facility. It is for a hobby. Nothing less than a hobby. It is something that people like to do. It's something that people may want to do. But it's not something that

people need to do especially when you consider the costs involved, when you consider the impact on the environment and the waste of money. This money could be well spent to address the problems of the people of Smithtown.

(APPLAUSE)

And why is it being put into something that as pointless as a recreational activity? For fifty years we've heard for eighty years there's been shooting at the site, there's been all sorts of things. That's fine. It is 2006. It's a new century. It is not or 80 years anymore. Okay? The only thing that existed 50 or 80 years ago were the ducks and the geese and maybe a few people shooting at them. But this is years later. This is modern times. People need a place to live. There's a new community growing around here. There is no point to having this range at this location especially for the costs involved. Put the money in the right place. Give it to these people.

(APPLAUSE)

P.O. LINDSAY:

Joanne Steigerwald. And we have Stephen Comer on deck.

MS. STEIGERWALD:

Hi. Good morning. My name is Joanne Steigerwald. And I'm a resident of Yaphank. My home is within 300 feet of a shooting station within the trap and skeet facility. I would like to state for the record that my husband and I are adamantly opposed to the opening of the trap and skeet facility in Southaven Park. The opening of this facility is a concern for all taxpayers of Suffolk County. Our Suffolk County officials have allocated 1.1 million of our tax dollars to be spent on repairs and lead removal of the trap and skeet facility. The \$1.1 million is being spent to benefit a vendor, Mark Wroobel, from Nassau County to have a start•up business.

We elect politicians to office to act in our best interest yet we have to fight to have them do this. We taxpayers have spoken out saying we do not want this facility opened, yet our Suffolk County leader continues to move forward

with this controversial project being fully aware that's leading the people of Suffolk County into a lawsuit.

The fact that this is core preservation for the Pine Barrens does not seem to matter to Mr. Levy. The repair work is ongoing which has included the cutting down of trees and the removal of hazardous waste to our town own land fill. Are we governed by a democracy or a dictatorship? If not for some of our elected officials, Kate Browning, Jack Eddington, Pat Eddington and Marc Alessi I would really wonder we have say in our government. I have some faith left because of these individuals. They have listened to us, agreed with our issues and have publically shown their support. These individuals are acting in the best interest of Suffolk County taxpayers. I can only hope that other elected officials will listen and do the right thing when it comes to this facility.

With all of the many valid arguments against the opening of the trap and skeet facility and no matter what anyone has to say the, the bottom line is that no one would ever want to hear repetitive gunshot in their backyard. No one would want to spend their days living indoors just because you cannot live with the constant sound of gunshot. What may have made sense in the past makes absolutely no sense in today's world. I find it disheartening and astoundingly absurd that in this Year 2006 I need to address our elected officials that are paid by work and for the people of Suffolk County and beg you not to diminish the quality of our life. Does it make sense to open a facility that needs exemptions from county and town laws, has hazardous waste, requires 1.1 million in tax dollars to repair and is having a negative affect on our health, quality of life and actual preserves? I can not believe that anyone ••

P.O. LINDSAY:

Wrap up.

MS. STEIGERWALD:

I'm almost done. Thank you. I cannot believe that anyone would support a recreational not essential venue that will negatively impact our community and the quality of our lives. Thank you.

(APPLAUSE)

P.O. LINDSAY:

It's now 12 O'clock which concludes the extended portion of the public portion. I still have about 15 speakers that we didn't get to. We will resume the public portion this afternoon with the afternoon session, but right now we're going to go into the capital budget.

D.P.O. VILORIA • FISHER:

Just to further explain the recess public hearings willing begin at 2:30. And after the public hearings are done, then we would go back to the public portion. Okay.

P.O. LINDSAY:

I'm going to make a motion to approve budget amendment number one which is the omnibus. Do I have a second?

LEG. COOPER:

Second.

P.O. LINDSAY:

Second.

MR. LAUBE:

Legislator Lindsay, announce the second. Alden?

P.O. LINDSAY:

I made the motion. Legislator Cooper made the second. Is there any questions on the omnibus? Legislator Alden.

LEG. ALDEN:

Very briefly, Budget Review could go over the major changes that we're making to the proposed capital budget.

MS. VIZZINI:

As you know, Legislator Alden, the working group worked very hard to come up we a program that modestly amends the County Executive's

recommended Capital Program. The overall themes are •• it includes an aggressive energy conservation program to reduce consumption and generate savings. This will help us include additional monies for energy conservation that will promote projects to give us a 20% pay back. It includes making some additional infrastructure improvements, retrofitting space such as the vacant Fourth Precinct when it is no longer occupied.

LEG. ALDEN:

When you say 20% pay back, you mean per year? Because some of these projects actually pay for themselves in four, five, six years? Is that not correct?

MS. VIZZINI:

Correct. In five years we will have the total pay back.

LEG. ALDEN:

And then it's all savings to the county after that five•year period?

MS. VIZZINI:

The idea is to reduce our consumption especially in light of how the increase in the costs are going. So we want to reduce consumption particularly in our 24/7 facilities. It demonstrates support for the college. We've reinstated the recreation center at the eastern campus. As you are aware the Capital Program is a document by which the college can show that the County is its local sponsor and has local sponsor support.

We are further investing in the college in terms of the necessary equipment needed for the culinary program and to finish the aesthetic improvements at the red square at the Ammerman Campus.

We've provided for a necessary project for FRES to have an emergency backup at the former Sixth Precinct, improvements for public safety, the mammography for the Shirley Health Center. We have advanced \$6 million in sewer district bonds for Southwest Sewer District so they can accelerate the ultra violet disinfection program so that we can get that 50% savings sooner rather than later.

We also reduced certain projects to fit the needs of the County in the technology area. It's a very modest reduction. And finally it embraces an improved capital ranking form that enhances planning and fiscal accountability yet maintains service as one of the criteria for which we rank each project.

LEG. ALDEN:

Specifically for 2007, does this increase or decrease the projected capital costs?

MS. VIZZINI:

Well, the last page of the Omnibus resolution provides you with the fiscal impact. We have added \$14.7 million in serial bonds. The fiscal impact will not hit until 2009 assuming that in '07 we've •• will appropriate these bonds in '08. They will likely be bonded and in 2009 we will begin the pay back.

P.O. LINDSAY:

If I might, too, the cost to the County is 14 and change. Overall we added be \$22 million. Six million is sewer district bonding and about a million in state aid. So if you look at the total number it's 22 million but about seven of that is not •• not on the county's dime.

LEG. ALDEN:

Actually I was going to get to the point that some of that money is reflected in additional costs to sewer district construction and improvements.

MS. VIZZINI:

We advanced \$6 million for Southwest.

LEG. ALDEN:

There is a resolution being put forward by Legislator Caracappa and Legislator Lindsay •• Presiding Officer Lindsay that would actually remove the •• in the future would remove sewer district project from the capital budget or treat them as a separate budget.

MS. VIZZINI:

Pertains to the offset law. Yes, there is a charter change which will exclude

santitation projects from is serving as an offset and also exclude them from needing an offset since sanitation projects typically are financed through the individual sewer districts bonds. It has nothing do with the general fund debts service.

LEG. ALDEN:

So it would seem prudent and actually logical to separate those projects from this general capital project that we're doing right now?

MS. VIZZINI:

Yes. As a matter of fact it was a recommendation of Budget Review Office.

LEG. ALDEN:

So if you factored out the amount of money that was going into sewer district projects, then you're down to •• what would that be? I think Legislator Lindsay said six million?

MS. VIZZINI:

Well, we're down to the 14 7 in 2007.

LEG. ALDEN:

So it would be about six million over this project as far as additional projects?

P.O. LINDSAY:

No, 14 7 is on our dime. The other six is in addition.

LEG. ALDEN:

Okay. Good.

P.O. LINDSAY:

Anyone else? Anyone else want to comment, question anything? Okay.

LEG. ALDEN:

One more thing.

P.O. LINDSAY:

Go right ahead.

[SUBSTITUTION OF STENOGRAPHER • ALISON MAHONEY]

LEG. ALDEN:

How much money was left in here for dredging?

MS. VIZZINI:

The County Executive had presented dredging projects to the tune of 610,000 in '07, a million three in '08 and a million five in '09.

LEG. ALDEN:

Traditionally •• and again, I've only been here nine years •• but traditionally we spend, you know, considerably more than that on dredging each year. So I consider that a little bit of a weak point in this Capital Budget, but it's correctable.

The other point that I think is a weak point in here is the pay•as•you•go, which is pretty much non•existent; is that incorrect or correct?

MS. VIZZINI:

Unlike prior Capital Programs, the County Executive has proposed pay•as•you•go on or about a million dollars for each year of the Capital Program. The Legislature has not taken a particularly aggressive policy regarding pay•as•you•go in light of the fact that there is a waiver that will be before you. In order to address the budget shortfall, there is a waiver for 2006 and 2007 of the pay•as•you•go law.

LEG. ALDEN:

A budget shortfall, that's a projected budget shortfall for '07, there's no projected budget shortfall for '06.

MS. VIZZINI:

That's correct. We're good in '06, the concept is the more we save in '06 the more we can mitigate any problems in '07.

LEG. ALDEN:

Okay. And then unfortunately you're left with a little bit of a dilemma which is correctable in the future, but it's something that as we pass this or don't pass it, whichever we do with this, we really do have to consider it. Because what we're doing could be looked at as a very short term solution that creates a long-term problem, and sometimes you get into that when you refinance debt. If you could take all the savings up front, then sometimes you have dissavings in the future years. And what elimination of the pay-as-you-go does, it takes a very short-term look, because you end up saving a little bit of money because we're going to bond purchases, and then in the long-term, two, three years from now when that debt comes due, that creates another little bit of a hole in our budget or a little bit of a problem finding the money to fund the payment of principal and interest at that point in time when that comes due.

So while we might be looking for '07, I don't think that's a prudent thing to do for the rest of the century and actually for any other budgets into the future. So an analogy to what you do at home might be, you know, pretty prudent right now to take a consideration of. You don't hock your future to live for today, and that's too •• a little bit of a weak point that I noticed in this Capital Program.

MS. VIZZINI:

Your point is well taken, and the working group struggled with this very issue. But I believe based on recommendations from Budget Review, the Legislature will be looking very candidly at the 2007 Operating Budget, and if need be additional monies would be put into pay-as-you-go.

LEG. ALDEN:

Thank you.

P.O. LINDSAY:

Legislator Losquadro.

LEG. LOSQUADRO:

Just a quick comment. And I think you can see from Legislator Alden's

comments that we took this process very seriously and I just want to thank the Presiding Officer for putting together a very good group. I think we raised a lot of very important issues and I just want to say thank you to Legislator D'Amaro, Legislator Eddington, Legislator Montano, Legislator Alden, Legislator Caracappa and the Presiding Officer for coming together and working on this. I think we did a very good job.

And moving in to the Operating Budget, as we will in a couple of months, I believe that we'll begin to address some of the concerns that Legislator Alden raised and some concerns that haven't yet been raised. So I just want to say thank you again, it was a very enjoyable process.

P.O. LINDSAY:

Legislator Romaine.

LEG. ROMAINE:

Yes, I have some questions concerning dredging, and I'll direct them to Budget Review and then I'll make a few brief comments. What was the level of funding for dredging in the Capital Budget for 2006?

MS. VIZZINI:

He's getting that for you. Approximately a million dollars.

LEG. ROMAINE:

Yes, I believe it was 1.1, \$1.2 million. What ••

MS. VIZZINI:

A million eighty thousand.

LEG. ROMAINE:

Yeah. What was proposed for 2007?

MS. VIZZINI:

Six ten.

LEG. ROMAINE:

Six ten, so roughly almost being cut in half. Has DPW •• has your office

contacted DPW with the impact of what that cut would mean to dredging projects throughout the County and on the east end, etcetera?

MS. VIZZINI:

No, but as you know, Legislator Romaine, the departments were given a directive in terms of preparing their Capital Budget requests and that number is the same number that the department requested for '07.

LEG. ROMAINE:

Okay, but there's no comment from them. Because I'm told, by talking to DPW, that several projects will have to be postponed including projects for the east end, projects for the Forge River, projects for other areas up west. In fact, there's a list here and the reason I render this is because I have a standalone on adding dredging, money for dredging projects that I think should be considered by this body, otherwise we will not continue to maintain, as we have done on a regular basis, our maintenance dredging. We are years behind now and we will fall further behind which will obviously impact the multi-billion dollar marine industry that we have here in Suffolk County. Interface dredgings is something that the County has been given a responsibility for. Thank you. If you want to comment, please.

MS. VIZZINI:

Only that your standalone would bring it •• the 2007 level back up to the million dollar area where the other years are, and that it is not uncommon that once you have to stay within certain budgetary constraints, projects can be deferred.

LEG. ROMAINE:

Projects can be deferred, but with dredging, as we know, there is a backlog now with dredging in Suffolk County, a long, long backlog for dredging projects. And all my standalone would really do is bring dredging projects up to where they have been funded in the past. This would be a significant cut on dredging projects and further delay all dredging projects Countywide. So I'll end it with that statement, thank you.

P.O. LINDSAY:

Legislator Horsley.

LEG. HORSLEY:

Yes. My favorite topic on incinerators, presently there are no monies in the budget for incinerators; is that correct, at Bergen Point Plant?

MS. VIZZINI:

There is no change to the County Executive's presentation.

LEG. HORSLEY:

And I just wanted to thank the Legislature and the working group for its support concerning monies going into the budget for the Southwest Sewer District incinerators. Thank you, gang. I appreciate it.

P.O. LINDSAY:

Legislator Schneiderman?

LEG. SCHNEIDERMAN:

I realize we'll debate the merits of the dredging bill when we get to it, but there currently is a three year backlog on dredging projects and my concern, and really my question for BRO is, there •• has anybody done any kind of analysis that if you •• or is there any reason to cut the funding? And if you did cut the funding, the economic analysis •• because many of these are navigational inlets and with that three year backlog my fear is it's going to become a six year backlog since you're cutting •• you know, the funding is being cut in half. And my area, which is a largely commercial fishing area, the economy is very dependent upon the ability to keep those navigational inlets open.

So if you could comment on that, or if you want to wait until we debate the bill that's fine as well.

MS. VIZZINI:

We actually haven't taken a •• we haven't done a study of that or measured the economic impact of the dredging per se. We have measured the economic impact in terms of the beaches but not the navigational component.

P.O. LINDSAY:

Okay. Anybody else; that's it?

LEG. CARACAPPA:

Mr. Chairman?

D.P.O. VILORIA • FISHER:

No, I have a question.

P.O. LINDSAY:

Legislator Fisher.

D.P.O. VILORIA • FISHER:

Gail, I have a question about one of the standalones regarding the appropriateness of it being in the Capital Program rather than in the Operating Budget. And that's •• pardon me a minute, I'm looking for the number on that. It's No. 8 which is the pilot program for Mobile Melanoma Screening Services. I had spoken about this concept with Legislator Schneiderman and I was surprised to see it as part of a capital •• as a standalone capital amendment because I thought that this would be more in the Operating Budget. Why would it be in the Capital Budget?

MS. VIZZINI:

Well, at this point it's planning, planning for what •• it's a study in terms of •

D.P.O. VILORIA • FISHER:

Okay, but the question still is why wouldn't that be in the Operating Budget?

MS. VIZZINI:

It could be, but you can also undertake studies in the Capital Program.

D.P.O. VILORIA • FISHER:

Okay. But wouldn't that be for capital expenditures and this would be a program that would be running alongside one of our •• that would be part of our existing vans that provide, for example, the mammography van that's

already in existence, this would just be adding to that program? So would this be for buying equipment that would be in that program? I'm sorry, since I received this yesterday, you know, I looked at this yesterday, I didn't look at it as carefully as I should have, probably. But can you just explain why that would be here and not in the Operating Budget?

MS. VIZZINI:

This is something that could go either way. If the Health Department would undertake the study or contract out through the Operating Budget, that's a possibility. If this is the type of study that might make recommendations to purchase another van for that particular reason or to move forward through the Capital Program, but it's not uncommon for us to fund planning or studies through the Capital Program.

D.P.O. VILORIA • FISHER:

Okay. I think I would rather wait until we talk about it for the Operating Budget and look at it in the Omnibus in the Operating Budget rather than in the Capital Budget.

P.O. LINDSAY:

Legislator Caracappa.

LEG. CARACAPPA:

Thank you, Mr. Chairman. I certainly appreciate that you put me on the working group this year. I agree with Legislator Losquadro, it was an excellent process, I don't know about fun, but it was an excellent process nonetheless, as is usually the case here at the Suffolk County Legislature as we work on budgets.

This Capital Budget Amendment, I believe, is a prudent, well thought out plan for the County's future. I do agree with the County Executive's popular statement that he says all the time, and I think we all agree with the statement, that we can't have it all. But as it relates to a Capital Budget, we don't have to have it all but it's very, very important that we plan for the future. And as I have said on many, many occasions, to the point where it's probably nauseating at this point in time, the Capital Budget process and the amendment process is nothing more than a planning document; a planning

document for our future as it relates to our infrastructure.

And though we can't have it all, we can be prepared, and that's just what we've done in this amendment process. The time to really debate the intricacies of each and every standalone or every item that's been added back into this Omnibus package is when we do the amendment process or the appropriation process. That's when we'll debate it, that's when it will need 12 votes, that's when it will go back before the County Executive and can be debated on a singular basis or a case•by•case basis. And that, again, is the prudent way for this Legislature to move forward, for this County government to move forward, for the County Executive to move forward and we can do it all, again, on a case•by•case basis which is certainly a much more educated way of doing things.

And I think this budget document today that we're going to approve, hopefully, and this amendment does all the things that I've stated, but most importantly it plans for our future which is, when it comes to our infrastructure, vitally, vitally important. Thank you, Mr. Chairman.

P.O. LINDSAY:

Thank you, Legislator Caracappa. And I think it's appropriate if I echo some of your sentiments. I appreciate the working group, they put in a lot of hours, they were very diligent about the process and very responsible about the process. And I'd also like to thank Budget Review for their help in this process. Yes?

LEG. CARACAPPA:

I left that one item when we were talking about dredging, and it's a major concern in Suffolk County, and as Legislator Romaine and Schneiderman have stated it, our waterways are as important as our highways here, especially as it relates to our tourism and certain fishing industries; it's very important that we take care of it.

But I think where we should be looking at, instead of keep pumping money into the budget for dredging projects, is buy a County dredge again, we

need one. In fact, the one that we hire out is our old one that we sold; so we're hiring out to use our old dredge. And what this Legislature and the County Executive should be looking at is getting a new dredge so that we can probably take care of our waterways as we should, in-house and on a constant basis when the environmental windows allow us to do it. So thank you.

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

I have just one quick question of Budget Review, and it's sort of like a rule of engagement. If we pass Budget Amendment No. 1 and then you go down the list and you find out •• or it's stated here conflict, so just to use as an example Budget Amendment No. 4, it conflicts with No. 1 and 5; now, if we pass No. 1, does that mean that four is meaningless or do we have to still debate it?

MS. VIZZINI:

You can fast forward past four because it's a component of one.

LEG. ALDEN:

It's included in No. 1. Good, thank you.

P.O. LINDSAY:

Legislator Romaine.

LEG. ROMAINE:

Yes, I •• I would just comment on Legislator Caracappa, obviously his years of service shows in the wisdom of his statements. Originally I considered amending the Capital Budget to put in monies for a second dredge, it became too expensive. But despite that, the County Executive Assistant wrote a very critical letter claiming that I was looking to bust the budget and criticizing me for even suggesting that we should have a second dredge; even though I amended my bill and made it only a booster pump, they criticized that effort, but that is exactly what we should be considering. If it wasn't for the expense or the criticism that came from the County Executive,

that's exactly what we would be doing today. Joe, thank you so much for those comments, they're right on target.

P.O. LINDSAY:

Okay, I don't see anybody else. Roll call, Mr. Clerk.

*(*Roll Called by Mr. Laube • Clerk*)*

P.O. LINDSAY:

Yes.

LEG. COOPER:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

(Not in room)

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

D.P.O. VILORIA • FISHER:

Yes.

P.O. LINDSAY:

Wait a minute, where is Legislator Nowick? Don't call the vote yet.

LEG. NOWICK:

Yes.

MR. LAUBE:

18.

P.O. LINDSAY:

At this point in time, we're about two minutes early, but I'm going to call the lunch recess because we have to do the photo and we've got a presentation across the street. We'll resume the Capital Budget when we come back this afternoon, all right?

LEG. ALDEN:

Do we have to take it up after?

P.O. LINDSAY:

After the public hearings and the public portion, right.

(*The meeting was recessed at 12:28 PM*)

[RETURN OF REGULAR STENOGRAPHER • DIANA KRAUS]

(GENERAL MEETING RESUMED AT 2:37 PM)

P.O. LINDSAY:

Okay. Our first public hearing this morning is ***IR 1048, a local law strengthening the procedure remedies of the Suffolk County Human Rights Commission. (Mystal)*** I do not have any cards. Is there anyone in the audience that would like to speak at this public hearing? Seeing •• you want to speak, Madam? Please come up, identify yourself for the Clerk.

MS. GROSS:

Thank you. I spoke at the last legislative hearing and •• I'm sorry. Elain Gross, Erase Racism. And the current law still needs some amendment so we would ask that the hearing not be closed on that.

LEG. MONTANO:

Thank you. Motion to recess.

P.O. LINDSAY:

Okay. I have a •• first of all let me find out is there anyone else in the audience who would like to speak on this subject? Seeing none, I'll accept a motion to recess. Do I have a second?

LEG. BARRAGA:

Second.

P.O. LINDSAY:

Second. All in favor? Opposed?

D.P.O. VILORIA • FISHER:

Do we have a quorum?

MR. LAUBE:

Sorry, Legislator Lindsay.

P.O. LINDSAY:

Yes.

MR. LAUBE:

The motion to recess was from who?

P.O. LINDSAY:

Legislator Montano.

D.P.O. VILORIA • FISHER:

I don't think we have a quorum.

P.O. LINDSAY:

We did.

LEG. MONTANO:

Ten. Motion to recess.

P.O. LINDSAY:

Motion to recess. And we have a second. All in favor? Opposed?
Abstentions?

MR. LAUBE:

Ten.

P.O. LINDSAY:

IR 1069, a Charter Law to create a consolidated Department of Audit and Finance Management. (County Executive) I don't have any cards on this subject. Does anybody want to address us? Treasurer Carpenter, please come forward.

TREASURER CARPENTER:

Thank you very much, Mr. Presiding Officer and members of the Legislature. First of all, let me start by congratulating each and every one of you who are part of the financial team in this great county of ours that enjoyed an unprecedented bond rating increase recently with the participation, of course, to the County Executive, the Legislature, the Treasurer's Office and the Comptroller, again, as part of that financial team. I know BRO issued just recently the report on 1069 and I would just ask since we just got it that we would continue to recess this until we can really review the report carefully. Thank you.

D.P.O. VILORIA • FISHER:

Thank you, Angie.

P.O. LINDSAY:

Anybody else wants to speak on 1069? Going once, going twice. I'll make a motion to recess.

D.P.O. VILORIA • FISHER:

Second.

P.O. LINDSAY:

Second by Legislator Fisher. All in favor? Opposed? Abstentions?

MR. LAUBE:

Just a second. I don't know if you have ten. You have ten. Let me count them up now. Moving around like jack rabbits.

LEG. SCHNEIDERMAN:

Eleven.

MR. LAUBE:

Eleven? Browning, Eddington, Nowick, Lindsay, Fisher, Barraga, Montano •• read them off to me. Montano, D'Amaro, Cooper. D'Amaro, Elie •• I've got you. Ten. I've got ten. That was to recess. Ready.

P.O. LINDSAY:

Did you announce the vote?

MR. LAUBE:

Ten.

P.O. LINDSAY:

Okay. **1142, a local law establishing Suffolk County Citizens Public Health Protection Policy by requiring retailed display of public warning notices regarding pesticides. (County Executive)** I don't have any cards. Is there anyone that would like to address us on this issue? Seeing none.

LEG. SCHNEIDERMAN:

Motion to close.

P.O. LINDSAY:

Legislator Schneiderman, did you make the motion.

D.P.O. VILORIA • FISHER:

Yes.

P.O. LINDSAY:

Motion to close. Do I have a second?

LEG. BARRAGA:

Second.

P.O. LINDSAY:

Second by Legislator Barraga. All in favor? Opposed? Abstentions?

MR. LAUBE:

12.

P.O. LINDSAY:

IR 1214, a Charter Law to transfer the division of cancer awareness from Suffolk County Department of Environment and Energy to the Suffolk County Department of Health Services. (Romaine) I don't have any cards on this issue. Would anyone like to address us on this particular issue? Seeing none, Legislator Romaine, what's your pleasure?

LEG. ROMAINE:

Move to close the hearing.

P.O. LINDSAY:

Motion to close. Do I have a second?

LEG. BARRAGA:

Second.

P.O. LINDSAY:

Second by Legislator Barraga. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eleven.

P.O. LINDSAY:

Okay. **IR 1296 a local law establishing responsible standards and controls for alarm systems that require police department response.** I don't have any cards on this issue. Would anybody in the audience like to address us on this issue? Seeing none, I'll entertain a motion.

LEG. COOPER:

Motion to recess, please.

P.O. LINDSAY:

Motion to recess by Legislator Cooper. I'll second that. All in favor?
Opposed? Abstentions?

MR. LAUBE:

Eleven.

P.O. LINDSAY:

IR 1391 a local law to ensure proper storage of toxic pesticides in retail stores. I don't have any cards. Would anyone like to address us on IR 1391? Ms. Caputo, you want to ••

MS. CAPUTO:

Maybe you could just recess all these pesticide public hearings because the County Attorney's Office is working with several •• I think Legislators Schneiderman and Vioria•Fisher and some other parties. Is that correct?

LEG. SCHNEIDERMAN:

Can I comment on that?

P.O. LINDSAY:

Go right ahead. Legislator Schneiderman.

LEG. SCHNEIDERMAN:

That is correct. We are working together on a kind of a unified pesticide bill, but I don't see a problem with closing it because if we do change the bills, we're going to have to have a new public hearing anyway.

MS. CAPUTO:

That's why I figured instead of ••

LEG. SCHNEIDERMAN:

So I say just close them. And they can stay in committee until we have a unified bill. And then we might have to have a new public hearing.

MS. CAPUTO:

Okay. All right. I just wanted to bring to your attention.

P.O. LINDSAY:

Counsel wants to weigh in on this issue.

MR. NOLAN:

The charter law we recently passed regarding public hearings has not taken affect yet so we're still operating under legislative rules that if you close the public hearing and thereafter change the law, you're going to have to withdraw the bill and re•file. So you should be aware of that.

LEG. SCHNEIDERMAN:

All right. Then we have to go back to the last one that we closed and recess it. That was the County Executive's ••

MS. CAPUTO:

1142.

LEG. SCHNEIDERMAN:

1142.

MR. NOLAN:

Make a motion to reconsider.

LEG. SCHNEIDERMAN:

Let's take care of this one first. I'll make the motion to recess.

P.O. LINDSAY:

Okay. Let's just deal one at a time. 1391, you're making a motion to recess.

LEG. SCHNEIDERMAN:

Recess it.

P.O. LINDSAY:

Do I have a second?

D.P.O. VILORIA • FISHER:

I'll second it.

P.O. LINDSAY:

Second by Legislator Fisher. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eleven.

P.O. LINDSAY:

Okay. You want to make a motion to reconsider closing 1142.

LEG. SCHNEIDERMAN:

Motion.

P.O. LINDSAY:

We have a motion to reconsider 1142. Do I have a second? Second by Legislator Eddington. All in favor? Opposed? Abstentions? That's back before us now. Right?

MR. LAUBE:

Eleven.

LEG. SCHNEIDERMAN:

Motion to recess.

P.O. LINDSAY:

Motion to recess by Legislator •• same motion, second same, same vote. All right with everybody? Okay. 1142 is recessed.

IR 1437, proposed increase in improvements of facilities for the Sewer District number 3, Southwest Sewer District. We have a number of cards. First speaker is Ralph Scordino.

MR. SCORDINO:

Good afternoon. My name is Ralph Scordino and I'm the Mayor of Babylon Village. For those of you who are not familiar with our Village, we're a small waterfront community on the south shore with about 12,000 people. Babylon is a well established community that is densely populated with

second and third generation with Babylonians. We're approximately a half a mile from the Southwest Sewer District Treatment Plant at Bergen Point.

As a representative of those 12,000 people I am here today to tell you that we have a major •• major concerns about the plant to burn sludge from the waste treatment facilities and that the impact that it will have on us.

I recognize that Long Island has changed and that means that we have to change our way of operating. We cannot do things the way we did in the '60's and '70's or even in the '90's. We have to be initiative•ecologically aware and cost effective. There are many people here and as a result more sewage population •• I'm sorry •• pollution and garbage. And we need to figure out a way to get rid of it while we still maintain our quality of life.

In Babylon Village we live very closely to one another and anything that we do must take into consideration the impact on our neighbors. As Mayor I find that I deal solely with finances on issues. I have missed a primary piece that is extremely important to all the residents and that's the quality of life, health and safety. How will this decision impact the lives of the people of Babylon? I feel that the finances have been a major component of the County's decisions whereas the ecological and other impacted issues have not been addressed. I do applaud County Executive Levy for saying that maybe there should be further study. And I stand with County Legislator Wayne Horsley who has publically stated that he's concerned about the environmental impact. I feel that this plan to burn sludge will be nothing less than devastation to our community.

I have received countless letters, faxes, emails and phone calls from residents and organizations with concerns about the vile noxious emissions, compromised air quality, significant health concerns, devastation to our marine and wildlife, increased traffic and the negative impact on many businesses that rely on the patron's ability to enjoy the fresh ocean breezes and clean air.

The Great South Bay will never be the same if this plant moves forward. And the communities that border the Great South Bay will never be the same. We deal with the prevailing south•west winds which will bring the

emissions from the plant right to our community. With this in mind the 12,000 people of Babylon Village will have to consider this decision.

On another note, I would like to add that I've always been available to discussions about everything and anything the County is considering for Babylon Village or a project that would impact on Babylon Village. The residents of Babylon Village were quite upset that they did not know this proposal and were not given the opportunity to express their views before it was placed in the County's budget. Communication is the key in all situations. I would like to work along with, not against County Executive Levy and the Legislature to do what is necessary and what is best for the people of my area. In the future, let's discuss first. Thank you.

(APPLAUSE)

P.O. LINDSAY:

Mr. Scardino, if you don't mind, I just want to make some comments.

MR. SCORDINO:

Sure.

P.O. LINDSAY:

First of all and, you know, we have a number of cards here and you are all welcome to get up and speak. We're known that if anybody wants to speak on any matter, we'll listen to them. But the incinerator is not part of this bill. The County Executive has made it quite clear that he's pulling back on the County building it. He wants to put out an RFP to figure out the best way to handle sludge. So whoever's telling you that 1437 has to do with the incinerator is not telling you the whole truth. It's not •• it doesn't have anything to do with the incinerator. The money that was appropriated for the incinerator this year that's been in the budget for four years is not going to be spent. It's going to be used as an offset towards the jail. We needed another \$14 million. The capital working group did not put that \$14 million in. The project is not going forward as a Public Works project this year. You know, and I'll reiterate that over and over again.

MR. SCORDINO:

I think •• I think, sir, that one of the major concerns that I have is that not only should it go •• not go through this year, but before anything is done to that plant, we should consider the impact its going to have on the Village. And also right now, the major concerns that we have with traffic going through the Village, which is a major concern of many, many residents with these trucks that are going to Bergen Point, that are going right through the heart of our business district. Just that alone ••

P.O. LINDSAY:

But understand something. If you don't burn the sludge, you're going to truck it. So the traffic is there. And I don't want to •• I don't want to debate the issue for the simple reason it isn't before us. What you have to do and the residents is talk to the County Executive because he's the one that's proposing to put out an RFP. We're not. But it's not our Capital Program. It isn't on this resolution now. It has nothing to do with resolution that we're voting on now.

MR. SCORDINO:

Thank you.

LEG: HORSLEY:

Point of order, Mr. Presiding Officer Lindsay?

P.O. LINDSAY:

Yes.

LEG. HORSLEY:

Though this particular bill may be not having anything to do with the Capital Program involving the incinerators, maybe these cards should be addressed at the public portion of this meeting because certainly the capital budget was based and built upon the incinerator program. I think just by ••

P.O. LINDSAY:

This is a public hearing to address 1437.

LEG. HORSLEY:

I understand that.

P.O. LINDSAY:

The incinerator is not part of 1437.

LEG. HORSLEY:

I understand that. But what I'm saying is maybe what should be done that these cards should be held over to the public portion.

P.O. LINDSAY:

That's fine. We listen to everybody.

LEG. HORSLEY:

Which would be about ten minutes.

P.O. LINDSAY:

We'll listen to everybody and anybody, whatever they want to speak on. I just want to make it clear that whoever's telling these people that 1437 has to do with the incinerator is not telling them the truth.

LEG. HORSLEY:

Okay. I think that's been made clear and evident; and that maybe these cards should be moved over to the public portion which should be shortly.

P.O. LINDSAY:

Whatever they would like to do.

LEG. HORSLEY:

Thank you.

P.O. LINDSAY:

Gordon D. Canaryman? Canary. I'm sorry.

MR. CANARY:

In deference to your comments, Mr. Presiding Officer, I think I'll have to

defer over to the public portion because I'm here to talk about the incinerator proposal. Thank you, sir.

P.O. LINDSAY:

Thank you. Ben Wright.

MR. WRIGHT:

Good afternoon. I wanted to read into the public hearing a statement from Public Works. And we realize that every meeting you have, you know, you have public hearings and you understand the process. But at the same time we wanted to emphasize some of the financial considerations that go along with the report and this public hearing.

"In accordance with New York State County Law Article 5 (a) improvements to sewer districts require a report to be prepared prior to a public hearing. The report would define the project and include SEQRA determinations and financial considerations. The public hearing would lead to a finding statement and an application to the State Comptroller for approval. Sewer District Three is eligible for assessment stabilization reserve funds due to an annual 3% increase in sewer rates. The increase and costs due to the six projects that are included within the public hearing report is less than \$22 per typical property per year based on this 3% increase. This increase is therefor regardless of any projects to be implemented. The finding statement of the public hearing must reflect any comments received during the hearing regardless of any opposition or support for sewage sludge incinerator portion of the report. The financial impact on the typical property will not change. The finding statement will reflect the input received at the hearing. It is essential that projects included in the report be implemented. And it may be obvious if funding is not in the budget, they will not proceed."

I would like to just provide this to whoever can take it and include it as part of the public hearing document.

P.O. LINDSAY:

Mr. Wright, before you leave the podium •• I mean, you work for Public Works. You're in charge of the sewer agency; am I correct?

MR. WRIGHT:

I'm the Chief Engineer of Sanitation and Public Works.

P.O. LINDSAY:

1437, does that have anything to do with the incinerator.

MR. WRIGHT:

It had included the funding in there. The projects •• the six projects included \$125 million worth of capital construction work. Nearly half of that was in the incinerator. But as I indicated in the statement, if there's no funding in the budget, then it's not part of the project. And the finding statement would reflect the comments that are made today.

P.O. LINDSAY:

Thank you. Kasey Jacobs.

MR. JACOBS:

Kasey Jacobs. And I'd like to hold off my testimony until the public portion.

P.O. LINDSAY:

Thank you very much. Karen Watt.

MS. WATT:

I'm going to wait for the the public part.

P.O. LINDSAY:

Okay. John Watt.

MR. WATT:

Same.

P.O. LINDSAY:

Mark Serotoff?

MR. SEROTTOFF:

I'll talk later. Thank you.

P.O. LINDSAY:

Okay. Kenneth Walshak.

MR. WALSHAK:

I'll talk later. Thank you.

P.O. LINDSAY:

Philip Banculli.

MR. BANCULLI:

I'll talk later. Thank you.

P.O. LINDSAY:

Okay. And Fredrick Kameroner.

MR. KAMERER:

Kameroner.

P.O. LINDSAY:

Kameroner.

MR. KAMERER:

I'll wait until public portion.

P.O. LINDSAY:

Okay. Madeline Sheldon.

MS. SHELDON:

I'LL defer to the public portion.

P.O. LINDSAY:

Okay. Uzo Akuju. I know I messed that up. I'm sorry.

MR. AKUJUO:

I'll hold to the public portion.

P.O. LINDSAY:

Okay. And we have Lindsay Henry.

MR. HENRY:

Good afternoon, Presiding Officer, members of the legislature. I, too, am here to speak about the incinerator. I understand as Mr. Horsley stated that it could be open for public comment, but I'd like to address you know with regard to my concerns for the future if not for today.

I'm a councilman in Babylon Town and have been for two terms. I'm here to voice my opinion and the opinion of my constituency with regard to this proposed incineration plant which may or may not be on the table in the Town of Babylon.

We are adamantly opposed to the incineration of waste at the Bergen Point Sewage Treatment Plant. Any attempt to do so compromises the health and physical welfare of the citizens residing in the adjacent communities and severely deteriorates the overall quality of life of the residents of Babylon Town. Furthermore as the Chair of the Bay Management Committee within the Town of Babylon and as a staunch advocate for the environment I believe that the incineration of human waste on the Great South Bay is an affront against the entire coastal zone in Babylon and the surrounding towns and could have a devastating effect on the economy and overall well being of towns like Babylon which are in part economically dependent upon the health and welfare of our natural coastal resources. Thank you very much for your time.

(APPLAUSE)

P.O. LINDSAY:

Thank you. Lisa Ludwig.

MS. LUDWIG:

I'd like to defer.

P.O. LINDSAY:

Defer. Okay. Thank you. I don't have any other cards on 1437. The

people that deferred, we'll hear from them later. I see the Supervisor walk in the room. Does he want to address us on this issue?

SUPERVISOR BELLONE:

If I may Mr. Chairman ••

P.O. LINDSAY:

Okay. Before you start •• before you start just so we understand, 1437 that we're about to close or recess the public hearing does not include the incinerator.

SUPERVISOR BELLONE:

Very good. I understand that. And I appreciate that. Then I will make my remarks brief. Mr. Chairman, members of the Legislature, it's an honor to come before you and to address you on an issue that is of great importance to the residents of the Town of Babylon regarding what was proposed as a replacement incinerator at the Bergen Point treatment plant.

The Bergen Point plant has a long history. And I think most of you are familiar with. It does play an important role in our regional economy for Islip, for Babylon, for Huntington, many of the businesses that hook into that; but the sewage treatment plant has a very checkered history. It is immediately adjacent to residential communities and it has a history that involves a lot of odor problems at the plant. People are very familiar with the scandals that surrounded the building of the plant in the 1070's. There was not much effort put obviously into design of the facility. As you look out on a beautiful location in the Town of Babylon •• I don't know how many of you have been out there to that location, but it is a gorgeous spot in the Town of Babylon. It used to be the ninth hole of the Bergen Point Golf Course from what I understand talking to Supervisor Cromarty who served in the 1050's in Babylon. What a beautiful spot. And it became a nightmare for residents after it opened and the significant odor problems that developed. Those odor problems have been gone for a number of years now as that incinerator there has been gone.

We in the Town of Babylon are very concerned with any notion of reopening that incinerator. We understand the important role that the treatment plant

plays in our regional economy. And we understand the burden that Babylon residents undertake for that great benefit. But we would like to see, and I know the residents of the Town would like to see, this proposal permanently shelved and move forward. We would be happy to work with the County. And I think that's important and I think this case demonstrates the importance of working together with local officials on these issues because, you know, we are as close as you can get to the residents that are impacted by this facility. We'll be happy, Mr. Chairman, to work with the County on proposals but the Town would ask respectfully that this proposal be permanently shelved. Thank you very much.

(APPLAUSE)

P.O. LINDSAY:

Thank you, Mr. Supervisor, for sharing your thoughts with us. Okay. Seeing no other •• if there anybody else who wants to speak on 1437? Seeing none, I'll take a motion. Do I have a motion on 1437? Motion to close?

LEG. D'AMARO:

Motion to close.

P.O. LINDSAY:

Do I have a second to that motion?

LEG. BARRAGA:

Second.

P.O. LINDSAY:

Second. D'Amato made the motion. Barraga made the second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Fifteen.

P.O. LINDSAY:

I just got a card on 1437 after I closed it, a Mr. Steinberg?

MR. STEINBERG:

I'll defer. I totally agree with the Town Supervisor.

P.O. LINDSAY:

Thank you. **IR 1438, proposed increase and improvement of facilities for Sewer District number 23, Coventry Manor. (County Executive)** I have no cards on this issue. Would anyone like to address us on this in the audience? Seeing none, I will entertain a motion. 1439, Coventry Manor.

LEG. EDDINGTON:

Motion.

P.O. LINDSAY:

Legislator Eddington makes a motion to close. Do I have a second?

D.P.O. VILORIA • FISHER:

Second.

P.O. LINDSAY:

Second by Legislator Fisher. All in favor? Opposed? Abstentions?

MR. LAUBE:

15fifteen.

P.O. LINDSAY:

38. Excuse me. 38. I had 39. I'm sorry. Yeah, 38.

MR. LAUBE:

Fifteen:

P.O. LINDSAY:

IR 1439 proposed increase and improvement of facilities for Sewer District number 9, College Park. (County Executive) I have no cards

on 1439. Anybody in the audience want to speak on 1439? Seeing none, I'll entertain a motion. Motion by Legislator Eddington. Do I have a second?

LEG. BARRAGA:

Second.

P.O. LINDSAY:

Second by Legislator Barraga. All in favor? Opposed? Abstentions?

MR. LAUBE:

15.

P.O. LINDSAY:

IR 1491 a local law implementing redemption of real property acquired by Suffolk County pursuant to the Suffolk County Tax Act. (County Executive) I do not have any cards on 1491. Would anybody like to address us on 1491? Seeing none, I'll entertain a motion. Anybody awake here? Come on.

D.P.O. VILORIA • FISHER:

I'll make a motion.

P.O. LINDSAY:

Motion by Legislator Fisher, second by Legislator Eddington. All in favor? Opposed? Abstentions?

MR. LAUBE:

15.

P.O. LINDSAY:

Okay. 1499, a local law to further accelerate the County's Affordable Housing Program. (County Executive) And I have a card Marian Zucker, our Director of Workforce Housing.

MS. ZUCKER:

Good afternoon. My name is Marian Zucker. I'm the Director of Affordable

Housing for Suffolk County within the Workforce •• excuse me •• within the Economic Development and Workforce Housing Department. And I am here this afternoon to speak in favor of IR 1499 a local law to further accelerate the County's Affordable Housing Program. This legislation provides certain changes to the program that will result from our experience in implementing and operating the program. And I'd like to take some time to explain these changes to you.

First, the legislation will provide flexibility in the County's program to consider an affordability formula more in line with those proposed or in effect in our local towns. For example, the Town of Southampton has typically crafted the affordability requirements for each of its developments on a case by case basis. These requirements have not necessarily meshed with those in effect in the County's current program requirements that at least half the units be affordable to those under 80% of median income and the other half for those under 120% of median income.

In one of Southampton's developments they're required to set aside of 28% of the units for workforce housing. And they had a formula that had 1/3 of the units available to people at 80%, 1/3 at a 100% and 1/3 at 120%. And the programs just did not match. This change will allow us to accommodate any local municipal formula that restricts occupancy to those under 120% of median income.

An additional change in the legislation regarding the rent level maximum also allows us to take into account different formulas that towns use. For example, the Town of East Hampton uses a multiple of the fair market rent as its maximum rent. So we want to be able to accommodate changes such as that.

Secondly, this legislation removes an old and very cumbersome restriction on the unsubsidized price of a housing unit. That's the unsubsidized price. This requirement has proven to be difficult to meet especially in high land cost areas. We had taken a look at a proposed development in the Town of Shelter Island last year which didn't end up moving forward but we were having a hard time even though we could deliver the units at a price affordable to those under 120%. We couldn't make it fit into this

unsubsidized price restriction. In fact this restriction acts as a disincentive for creative developers to bring other subsidy dollars to the table. We'll still retain a restriction on the purchase price of rent level charged to the occupancy but we want to delete this requirement for unsubsidized purchase price limit.

Thirdly, we have included a provision that clarifies our ability to partner in the program with employers seeking to provide housing opportunities to their employees. For example, we could assist an employer with a very large campus who chose to build housing on their site. We don't clearly have the authority to do that right now. This change speaks directly to the number one economic development issue of our county, the need for homes our workers can afford.

In closing these changes are largely technical in nature and will allow us to more easily operate the Workforce Housing Program. And if I could take a second to provide an update on our progress, we have been working hard in the last year or so actually, we're moving forward with the Village of Patchogue with the development that we expect to bring before this Legislature very shortly. Actually the resolution was laid on the table today; another two developments in the Town of Southold, one of which should be before this Legislature for your consideration this fall. And we are in discussions •• very recent discussions with the Town of Huntington about one of their initiatives. Thank you.

P.O. LINDSAY:

Thank you, Ms. Zucker. Do I have any other •• I don't have any other cards in 1499. Does anyone else want to speak on this subject? Seeing none, motion to close by Legislator Fisher, seconded by Legislator Montano. All in favor? Opposed? Abstentions?

MR. LAUBE:

Fifteen.

P.O. LINDSAY:

IR 1525 a local law to establish responsible euthanasia standards at animal shelters. I don't have any cards on this subject. Is there anyone

in the audience that would like to speak to us on this subject? Seeing none, I'll entertain a motion?

LEG. KENNEDY:

Motion.

P.O. LINDSAY:

Motion to close by Legislator Kennedy, seconded by Legislator Mystal. All in favor? Opposed? Abstentions?

MR. LAUBE:

Fifteen.

P.O. LINDSAY:

IR 1644 a local law to strengthen the Colette Coyne Melanoma Awareness Act. (Viloria • Fisher) And I have a couple of cards. First speaker is Colette Coyne.

MS. COYNE:

Thank you again for this opportunity to speak to you. Most of you have heard a lot of the statistics regarding skin cancer and how detrimental tanning parlors are. Perhaps some of the young people sitting in here are not aware. So I'm going to quickly read through this; that we know that the sun and certainly artificial rays from a tanning bed both cause cancer. It's damage to our DNA. When we get a tan, it means our skin is, in fact, damaged. The tanning industry would like us to believe that we should go and get a base coloring to prevent a sun burn when in fact they're inviting us to risk cancer.

Tan skin is damaged skin. And I think it very, very important I must say for those that don't know Long Island •• this Legislature in addition to Nassau County are the first in all of New York state to pass laws regulating tanning parlors. So they're leading the way and I'm grateful for that.

I would like to support the idea that on our printed materials we have warnings that this will lead to skin cancer. Our young people still think that this is safe because they've been told it. Parents have been told that they

take out the damaging rays and are much safer than the natural sunlight, which in fact is incorrect. It is far more damaging. So we need to educate people any way we can and certainly that would be on printed material and the free coupons that are handed out at shopping malls and in high schools.

I also would encourage that support of this law that there is some sort of inquiry into how many of our tanning parlors are in fact abiding by the regulations. This is not going to be the answer to curtailing the tremendous increase of melanoma in our community. But it is one step. I noticed in the capital budget a lot of monies being sought to improve our parks and our marinas. And I would request that anything that you consider that you also consider shade structures in these parks and on these marinas.

And in addition to that, I see that a mobile van has been proposed; money for a mobile van which I think is a wonderful thing. It's an innovative idea. The Skin Cancer Foundation has done this throughout the country so it would be fabulous if Suffolk County led the way with something •• a van to do skin cancer screening. Thank you for all of your efforts in the past.

P.O. LINDSAY:

Colette, before you leave, Legislator Fisher would like to ask you something.

D.P.O. VILORIA•FISHER:

Hi, Colette, thank you very much for coming down again. You've spent a lot of time here. I recently saw Legislator Yatauro from Nassau County who has a companion •• a similar bill to this. And I would like you to tell us what will the difference be now between the legislation in Nassau and our legislation when this legislation passes? Are there still a lot of differences? Because we're trying to have a regional approach to this.

MS. COYNE:

Right. I think that the big difference in the Suffolk legislation was that 14 •year•olds could use tanning parlors with parental consent.

D.P.O. VILORIA•FISHER:

With this they won't be able to?

MS. COYNE:

They won't be able to. And quite honestly, if we could, we would be like France and we would pass a law that would prevent anybody from under 18 using a tanning parlor because they are so detrimental. Melanoma has increased over 60% since the mid-70's when tanning parlors came into fashion.

D.P.O. VILORIA • FISHER:

But the answer to the question then is that once this passes, the Nassau and the Suffolk County laws will be pretty much similar?

MS. COYNE:

Yes, they will.

D.P.O. VILORIA • FISHER:

So then we'll have a regional law which is anyone under 14 will not be permitted to attend.

MS. COYNE:

That's right.

D.P.O. VILORIA • FISHER:

And as you've told us many times, a sunburn before the age of 14 raises your risk •• much greater.

MS. COYNE:

Your risk for melanoma skin cancer. Yes, later in life.

MS. COYNE:

Yes, later in life, yes.

D.P.O. VILORIA • FISHER:

Okay.

MS. COYNE:

Our daughter wasn't a sunworshipper, but she had two sunburns. The doctor said that was enough.

D.P.O. VILORIA • FISHER:

We were trying to get our legislation in line with one another so that we have a regional approach.

MS. COYNE:

Also the state •• Senator Fuschillo in the state has a similar bill and we're hoping that that will pass. But the tanning lobby is a very strong lobby. Thank you.

P.O. LINDSAY:

Thank you, Colette. Mona Baldauf.

MS. BALDAUF:

That's me. I wasn't here for that one.

P.O. LINDSAY:

Oh, okay. You were down for 1644, which is this •• what issue did you want to speak on?

MS. BALDAUF:

Bergen Point.

P.O. LINDSAY:

Bergen Point. Do you want to speak under the public portion?

MS. BALDAUF:

Yes. Thank you.

P.O. LINDSAY:

Okay. I don't have any other cards on this issue. Is there anyone else in the audience that would like to speak on 1644?

D.P.O. VILORIA • FISHER:

I'll make a motion to close.

P.O. LINDSAY:

Motion to close by Legislator Fisher, second by Legislator Barraga. All in favor? Opposed? Abstentions?

MR. LAUBE:

Fifteen.

P.O. LINDSAY:

Okay. **IR 1645, a local law to reduce the emissions of pollutants from diesel fueled motor vehicles operated by or on behalf of Suffolk County. (Cooper)** And I have Kasey Jacobs.

MS. JACOBS:

Hi, how are you? My name is Kasey Jacobs. And I represent Citizens Campaign for the Environment. CCE strongly supports resolution 1645 which would require the County to use ultra low sulphur diesel for on•road and off•road vehicles. Suffolk County's air quality violates federal clean air laws. We do not meet federal air quality standards for fine particulate matter and ozone. These are harmful air pollutants that can cause serious lasting effects on human health and our environment.

High levels of ozone can result in chest pain, congestion and coughing. Studies have found that up to 7% of hospital admissions in the summer can be attributed to smog. Fine particulate matter or PM 2.5 has been linked with premature death, heart attacks and many lung•related ailments. A very recent study has found that high levels of PM 2.5 in the air poses the same risk for lung cancer as a non•smoker faces living with a smoker.

While some air pollution and acid rain comes from coal fire power plants in the mid•west, diesel emissions account for a large portion of particulate matter, nitrogen oxide and sulphur dioxide pollution in our air. Ultra low sulphur diesel is a cleaner option that is currently available for diesel fuel vehicles. In addition to lower amounts of sulphur dioxide which causes acid rain, ULSD reduces emissions of nitrogen which is a major contributor to ozone and fine particulate matter pollution.

Ultra low sulphur diesel is the same fuel we use in diesel trucks and vehicles as well as our heating oil furnaces but has been filtered and refined to reduce the sulphur content and burn cleaner. By simply switching our existing engines over to this cleaner fuel, emissions will be reduced and the air will be less dirty. More significantly, however, is that by using ULSD engines are able to utilize highly effective filtration devices that dirtier fuel would clog up. The EPA has found that by using these technologies particulate matter can be reduced by 60 to 90%. You may be aware that Westchester County has passed the same legislation and New York State is considering this program as well. By passing this bill the Suffolk County Legislature will continue its leadership and proactively improving the quality of air for our health and the health of our environment. CCE strongly urges the Legislature to adopt resolution 1645. Thank you.

P.O. LINDSAY:

Ms. Jacobs, Legislator Vitoria•Fisher has a question.

D.P.O. VILORIA•FISHER:

Hi, Ms. Jacobs. Thanks for being here. I certainly support this bill. But I just had a question about something because we've previously passed legislation that requires or that encourages the use of bio•diesel fuels. And with the low sulphur fuels it works very well with biodiesel because the biodiesel provides the lubricity that's needed.

MS. JACOBS:

Right.

D.P.O. VILORIA•FISHER:

Now wouldn't that have covered the low sulfur requirement if we're calling for bio diesel fuels? I'm just wondering if this is duplicative of that or if this should stand by itself?

MS. JACOBS:

We believe that this should stand by itself; that bio diesel acts as an important step but this step is even further and that helps out with our air quality as well.

D.P.O. VILORIA • FISHER:

Okay. And it doesn't require bio diesel for these engines? Do we have the types of trucks that have the engines that can run on that low sulfur? I thought that there was a problem with lubricity with that?

MS. JACOBS:

I'm honestly not sure. I have to get back to you on that.

D.P.O. VILORIA • FISHER:

Okay. Thank you.

MS. JACOBS:

I'd also like to submit this into the public record.

P.O. LINDSAY:

It is part of the public, yeah, but give a copy is fine.

MS. JACOBS:

Thank you.

P.O. LINDSAY:

Ben Wright is up again.

MR. WRIGHT:

With the County Department of Public Works, and I've been asked to enter a statement about this •• this resolution. DPW believes that the implementation of this •• implentation of this resolution at this time could have significant impacts with regard to all vehicles and equipment in our fleet that have diesel powered engines. Must be tabled until such time as DPW can fully investigate the impacts to the county fleet as well as those private sector vehicles that are utilized in processing County work.

Our bus fleet is comprised of 150 vehicles. We utilize rented diesel vehicles for snow removal. Contractors we employ use a fleet of diesel vehicles. And our own fleet includes many diesel trucks and other pieces of equipment. So we request that in order to investigate this impact and an implementation schedule that it be tabled. Thank you.

P.O. LINDSAY:

Thank you, Mr. Wright. Michael Seilback? Hi, Michael.

MR. SEILBACK:

Good afternoon. My name's Mike Seilback, Senior Director of Policy and Coalitions for the American Lung Association of New York State. I'm here to speak on behalf of the Lung Association in favor of intro resolution 1645 '06 which would mandate the use of all ultra low sulfur diesel and best available retrofit technology for the fleet of heavy duty on•road and none•road vehicles owned or under contract by Suffolk County. The reason I make that clear is it is not all vehicles that are under contract and subcontract to the County; strictly the heavy duty vehicles.

There's also a provision in the legislation which would allow the Commissioner of DPW to enact under certain circumstances extraordinary circumstances a provision which would waive this allowance. For example if there was a major snow storm, the legislation already allows for the Commissioner to say that there's a major snow storm and we need all vehicles regardless of the ability to use retrofit technology with those vehicles. This is already in the legislation. Locally these requirements have already been established and enacted in Westchester County and New York City. So we do not necessarily believe that these arguments have held true because it's already enacted in these localities.

This legislation will reduce exposure to a pollutant that has been listed by the United States Environmental Protection Agency as a human carcinogen. It's shown by a wealth of science that trigger asthma attacks. It's linked to premature death in seniors and it's associated with ambient levels of both ozone and fine particle pollution. The American Lung Association State of the Air 2006 Report found failing ozone levels in Suffolk County and ranked our air second most unhealthy in all of New York State. For Suffolk County residents whose health is impacted by air pollution, there truly is no escape.

According to data by the Clean Air Task Force, Suffolk County ranks in the 95th percental for counties under the most risk from diesel soot. That's nationwide. Exposure to these pollutants could be attributed to 1,772

asthma attacks and 80 premature deaths annually within Suffolk. The average cancer risk for a Suffolk County resident related to lifetime exposure to diesel is one in 2776. This risk is 360 times greater than the EPA's acceptable risk of one in a million. As Citizens Campaign for the Environment mentioned, living in a city where there is extreme high levels of sulphate particle pollution provides the same risk for lung cancer that there was of a non-smoker living with a smoker for a decade would happen.

Unlike many areas of the country the health effects associated with diesel pollution in New York are even greater than those associated with power plant fine particle pollution. It's important for the County to act on diesel pollution in the same way that you've had successful efforts on smoking in power plant solutions. Because this legislation will significantly reduce the public's exposure to such a huge health threat, the American Lung Association of New York State strongly supports this resolution and urges its enactment. Thanks.

P.O. LINDSAY:

Thank you, Michael.

MR. SEILBACK:

Do you have any questions that you asked Casey that you needed an answer?

P.O. LINDSAY:

Does anybody have any questions for Mr. Seilback?

MR. SEILBACK:

Okay.

P.O. LINDSAY:

Thank you. I do not have any other cards on 1645. Is there anyone else in the audience that would like to address us on this issue?

MR. SEROTOFF:

Yes.

P.O. LINDSAY:

Please come forward.

MR. SEROTTOFF:

Good afternoon, my name is Mark Serotoff, Coordinator of the Sustainable Energy Alliance of Long Island. There is nothing that can be put on diesels to make them healthy. When you get behind a diesel vehicle, you can smell it. There sulfur dioxide coming out, there's soot coming out, there's carcinogenic particles coming out. No matter's what's done, the emissions coming out of a diesel, light duty or heavy duty, can cause cancer, can cause bronchitis, can cause emphysema. The Sustainable Energy Alliance of Long Island backs this proposal, this law to lower the emissions from diesel engines.

Also may I put out to the Legislature a consideration of another law to lower the emission for school buses. Children have tremendous exposure to diesel emissions. The buses sit idling, the buses create a lot of fumes during boarding and unboarding especially in the winter when the engines are running to provide warmth. So I would put this consideration to the Legislature for a bill of low sulfur emissions cutting fuel for public school buses. Thank you.

P.O. LINDSAY:

Thank you very much. Is there anyone else that would like to speak on 1645? Seeing none, I'll entertain a motion. Legislator Cooper?

LEG. COOPER:

I'll make a motion to recess, please.

P.O. LINDSAY:

Motion to recess. Do I have a second?

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

Second by Legislator Losquadro. All in favor? Opposed? Abstentions?

MR. LAUBE:

12.

P.O. LINDSAY:

Okay. **IR 1646, a Charter Law to establish a fiscally sound, flexible policy for managing budget surpluses. (Lindsay)** I do not have any cards on this issue. Is there anyone that would like to address this issue? Seeing none, I'll make a motion to close. Do I have a second?

CHAIRPERSON BROWNING:

Second.

P.O. LINDSAY:

A second by Legislator Browning. All in favor? Opposed? Abstentions?

MR. LAUBE:

12.

P.O. LINDSAY:

IR 1647, a Charter Law to implement a two•year rolling debt policy under 5•25•5 law to mitigate budgetary short fall. (County Executive) I don't have any cards on this issue. Is there anyone that would like to address us on 1647? Seeing none, I'll entertain a motion. I'll make a motion to close.

LEG. COOPER:

Second.

P.O. LINDSAY:

Second by Legislator Cooper. All in favor? Opposed? Abstention?

MR. LAUBE:

12.

P.O. LINDSAY:

1648, a local law establishing regulations for scrap metal dealers. (County Executive) I have one card here. It's officer Robert Haack.

OFFICER HAACK:

Good afternoon. My name is Robert Haack. I'm a Detective Sergeant with the Suffolk County Police Department and the Commanding Officer of the Property recovery Section. And the Police Commissioner has asked me to stop by and address the Legislature and express our support for this bill that will help us protect the citizens of Suffolk County. I'd to thank you for giving me the opportunity to address the Legislature.

As you know, throughout the years, man has been recycling metals by melting and reusing them. A visit to almost any industrial area in the County will demonstrate that the scrap business is alive and well. You'll notice that scrap processes, scrap facilities or scrap yards where the scrap metal is piled high cranes are lifting and sorting the metals and trucks are hauling the scrap metal in and out of their facilities. Recycling metal is important because it creates big business. It also plays an important role in conserving our national resources. It helps keep our highways and cities free from debris and helps preserve landfill space. It also creates crime. We have an increase •• we have seen an increase in grand larcenies and burglaries specifically dealing with scrap metal. The price right now of scrap metal is at an all time high.

Just the other day I snapped a few pictures of some advertisements and signs from local scrap metal buyers and they're posting their prices of aluminum at 62 cents a pound and copper at \$2.15 a pound. This is causing criminals to commit more crimes by burglarizing homes, cutting pipes and stealing aluminum wire from job sites. Some of the more notable crimes that have been documented in the past year, an employer's credit card has actually been used to purchase copper for a job that was never seen at the job site; was, in fact, purchased and then sold to a scrap metal dealer.

You can see individuals pushing shopping carts full of copper down the streets in various locations in our County. And this material has to come from somewhere. And in most cases it comes from new construction or abandoned homes. There's been some cases where they've even stolen

aluminum ramps at hospitals; taken the ramps right from the loading docks. Aluminum railings and aluminum bleachers from local high schools have been stolen. Aluminum gurneys for patient transport have also been stolen from hospitals. And aluminum road sign lighting that LIPA intended to use for the safety of our roadways have been stolen off the highway. Where does all of this material go? It goes to the scrap metal dealers who are not regulated. They don't have to report who they purchase their material from. And they don't have to hold it for any period of time giving law enforcement an opportunity to investigate the crimes.

Suffolk County has an existing law that requires precious metal and second-hand dealers to report to the Suffolk County Police Department all of the purchases made and •• by them from local residents. And they require picture ID and documentation as to where they got the property from. We are in support of the bill and we ask for your support in providing us with the tools that will help us to protect the citizens of Suffolk County and hopefully reduce crime. Thank you.

P.O. LINDSAY:

Yes, Sergeant Haack, before you leave, I don't think there's anybody at this horseshoe that has not given the Police Department the resources they need to do their job; but in this particular piece of legislation, it asks our Consumer Affairs Bureau to license these scrap metal dealers. And we're having a major problem with Consumer Affairs in that they don't have enough people to license all the people that they're supposed to license. And even if we gave more people, their facility is so over stretched they don't have any room to put any of the people. Would there be any consideration about the police department taking on this chore of licensing?

OFFICER HAACK:

That's a good question. And I will pursue that; take it under advisement and I will respond to the Commissioner and bring him that question.

P.O. LINDSAY:

Thank you very much. Legislator Kennedy wants to comment.

LEG. KENNEDY:

Thank you, Mr. Chair, I appreciate it. Thank you for coming to speak us to, Detective. I just have one technical question. There is no regulation of scrap dealers whatsoever; does that include even the scrap dealers that are involved with the various wrecking yards and automobiles and things such as that? I was always under the impression that State DMV had some oversight or licensing or regulation associated with them.

OFFICER HAACK:

Yes. New York State General Business Law Article VI (c) authorizes municipalities to license scrap metal dealers. We do not have such a law in Suffolk County so our scrap metal dealers go unlicensed and unregulated; and yes it would include those dealers. The Vehicle and Traffic Law does in fact cover vehicles and scrap vehicles. However, it does not cover all of the other precious or scrap metals.

LEG. KENNEDY:

So if a scrap yard is dealing with crushing cars but they're also doing, you know, taking in {mongo} and things like that, that aspect of it is not regulated.

OFFICER HAACK:

That's correct, yes.

LEG. KENNEDY:

Okay.

P.O. LINDSAY:

Thank you, Sergeant.

OFFICER HAACK:

Thank you.

P.O. LINDSAY:

Okay. I don't have any other cards on 1648. Is there anyone else in the audience that would like to address us on this issue? Seeing none I'll take a motion. Motion by Legislator Barraga to close.

LEG. COOPER:

Second.

P.O. LINDSAY:

Second by Legislator Cooper. All in favor? Opposed? Abstentions?

MR. LAUBE:

13.

P.O. LINDSAY:

Our next Introductory Resolution is **1650 surrendering the Cross Bay Ferry License by Bay Shore Ferry Incorporated. (Lindsay)** I have no cards. Would anyone in the audience like to address us on this issue? Seeing none I'll make a motion to close.

LEG. COOPER:

Second.

P.O. LINDSAY:

Second by Legislator Cooper. All in favor? Opposed? Abstentions?

MR. LAUBE:

12.

P.O. LINDSAY:

That is the listed public hearings. However, we have a CN in our packet that the hearing was posted on the door and it should be in your CN packet. It's **IR 1802, a law to facilitate implementations of reciprocal municipal livery business registration.** For my colleagues that were here last December, we passed legislation to license limousine companies and have never implemented it because of some needed changes. We have been working with Nassau County to come up with some kind of reciprocal agreements that if a limousine company based in Suffolk, we license them here, there would be recognition of that license in Nassau and visa versa. I think we have come to the point where we have that understanding. And this legislation will modify the legislation we passed last December to allow for this reciprocity between counties.

I have two speakers Susan Boyce. Susan? Are you here?

MS. BOYCE:

Thank you for letting me speak. I got so many phone calls this morning. The problem is we don't know where to go to get our licensing and if they are issuing the diamond stickers to the limousines as Nassau County is.

P.O. LINDSAY:

The process, Ms. Boyce, if you would allow me, is if we pass this legislation today, it will go to the County Executive's desk. He'll hold a public hearing on it. And then he has the opportunity to sign it into law or to veto it. I'm assured that he's going to sign it because he was involved in the negotiations. Has to be registered with the state. Will become law probably before the end of July. When it becomes law, I've already made arrangements with Consumer Affairs and our •• and I've been talking to some officials in the Limousine Association that we would have a mass informational session probably in this auditorium to answer all the questions, to pass out the registration forms and to address it in that manner.

MS. BOYCE:

Well, one of my main questions is I had spoken to Joe {Cherchio} and Robert {Crush}. They had come to our meeting last month. And it's a problem because everybody's getting ticketed. We cannot go •• we have in fact Sachem high school, their prom is being held in Nassau County. Now if we go to Nassau County, we're going to get ticketed bringing our children to their hall. We have all these proms. We're really having problems because everybody is getting ticketed.

P.O. LINDSAY:

That's the reason why we're doing this legislation to try and help you out. I mean it isn't very often that •• that an industry comes to us and asks us to license you. It's usually the other way around, but this is in response to your pleas for help. We have a verbal agreement with Nassau County that if you pick up someone in Suffolk County and take them to Nassau, that they won't ticket you until we can get this thing straightened out. I'm being told there was some copies of tickets that were delivered to me; that they're not

upholding that agreement which we will get into with Nassau County. But we're trying to straighten this thing out. That's what this is all about.

MS. BOYCE:

Okay. One last question. Do you think it is wise that we go down and get our Nassau stickers? We have no place to be licensed right now in Town of Brookhaven where I am. So should we go and spend the \$300 per car to be licensed so that we're not harassed or can we tell them that there was an agreement between Suffolk and Nassau that they're not going to bother us?

P.O. LINDSAY:

I would hate to give you advice and then have you get a ticket, but if you can hold on 'til the end of July the license will be \$125 here in Suffolk County per company with an additional charge of \$10 per sticker per car.

MS. BOYCE:

Okay.

P.O. LINDSAY:

And we're being lead to believe that •• with a modest fee will be accepted in Nassau County.

MS. BOYCE:

Okay. One last question. Now what about a small operator that has one to three vehicles and they're operating •• I would say about 80% of the operators in Suffolk County operate out of their home. Now will they have to have a business address or can they apply for the licensing with their home address?

P.O. LINDSAY:

I don't know of any requirement that you have to have an address for the business. But ••

MS. BOYCE:

So, we'd be able to register our vehicles? As long as they're registered, we're okay.

P.O. LINDSAY:

I believe so.

MS. BOYCE:

Thank you very much.

P.O. LINDSAY:

You're welcome.

P.O. LINDSAY:

Paul Cannello.

MR. LAUBE:

Legislator Lindsay, could you hold up for a second? Our tape machine is down. Okay. We're ready.

MR. CANNELLO:

My name is Paul Canello. I'm the Executive Vice President for the Nassau Suffolk Limousine Association. And I'm here in response with Sue for the problems we're having with Nassau County. I was involved with Presiding Officer Bill Lindsay back in November to pass a law for Suffolk Limousine Association for the Taxi Limousine Commission. I know we've had some problems with Nassau County, but as a suggestion •• I know they reneged a couple of times on some of the things that they said they were going to be doing for us. And you're saying right now wait until July, but over this weekend there was 59 cars impounded mine included at Belmont Race Track. I picked up out here in Center Moriches and dropped off and they impounded my car because I didn't have a sticker.

New York city is now getting on the case because they're reciprocating and they impounded 160 cars in the city because of what Nassau is doing. My suggestion is •• I know you can't say either way •• but my suggestion is to help us in Suffolk County, is that we have some sort of temporary letter saying that it's •• will be resolved by July, whatever dates so we can go to Nassau County to get some of our cars out of the impound so we don't have to worry about the prom season. Throughout the prom season, they impound cars at Woodbury Country Club, from out here. The bottom line is

once you go into Nassau County from out here, they are impounding your cars. According to the Department of Transportation US Commerce Law states that any vehicle can go drop off from any starting town to say like out here in Suffolk to any city, any state in the United States without needing a license. They're not abiding by that law. I don't have a law number in front of me, but that is a law that went into effect last year. So they're breaking every rule and every regulation that they have feasible and we can't make a living.

P.O. LINDSAY:

Let me just ask you a question, Mr. Cannello. The tickets that you got over the weekend or the reason your car was impounded strictly was because you didn't have a Nassau license; had nothing to do with an unlicensed driver or underage drinking or anything like that?

MR. CANNELLO:

My car •• my town car got impounded. There was a \$300 fine to get •• for the ticket that I have to go on Friday for court. There is a two •• a \$1500 bond that I have to put up to get the car out. Once we win the case on Friday, they'll refund everything.

P.O. LINDSAY:

If you could please make copies of those summonses for us; and I see the Deputy County Executive, he was involved in the same conversation that we had with the Consumer Affairs Commissioner and the Deputy County Executive in Nassau that assured us this wouldn't happen. So, if you get us those copies, we'd be very happy to go back to the same parties that assured us that it wouldn't happen and see if we can get it reversed and you guys treated a little bit fairer, you know, but in terms of a letter if you want a letter saying that we passed the legislation and it's pending before the County Executive, we'd be happy to do it.

MR. CANNELLO:

And on the other note, they did agree •• Nassau County DOC did agree to just ticket the limos. A lot of them they started out in the middle of the season just to ticket them; not impound them through the Nassau Suffolk Limousine Association. So that following the rule a little bit, but, you know,

like for this weekend it was uncalled for. And if, like you said, if we can get that letter from you and we can give that to them with the copies of the tickets, that would be a big help.

P.O. LINDSAY:

Thank you, Mr. Cannello. Okay. I don't have any more cards on 1802. Is there anyone else in the audience that would like to address us on this subject? Seeing none I'll make a motion to close, second by Legislator Nowick. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eleven.

P.O. LINDSAY:

Okay. I have one other piece under the public hearings. IR 1650, I'm going to make a motion to discharge the Ferry license. We closed the hearing but I want to have it eligible to vote on later so we can take care of that detail. So I'll make a motion to discharge, second by Legislator Barraga. All in favor? Opposed? Abstentions?

MR. LAUBE:

That was eleven. 13. That was a motion to discharge 1650.

P.O. LINDSAY:

Okay. Back to the public portion. We have John Palasek. John, are you still here on the public portion. I'm probably mispronouncing the name. Palasek. John Palasek, Yaphank.

MR. PALASEK:

I spoke earlier. Thank you.

P.O. LINDSAY:

Okay. Thank you. I'm probably •• I'm wondering if we •• I think we probably incorporated a few people that spoke already. Joanne Steigerwald, I know she spoke already as well. Stephen Comer. He might have spoke. I think this is where we were at. Sal Yovino. Please come forward, Mr. Yovino.

MR. YOVINO:

Good afternoon. I'm Police Officer Sal Yovino from the Suffolk County Police Athletic League. I'm here representing the North East Youth Sports Association in regard to the Zumas property acquisition. My job with PAL is to supervise, create, organize youth sporting activities. Basically I deal a lot in Northeast Brookhaven corridor as well as other portions of the County. Northeast Brookhaven is growing at a phenomenal rate. The local youth organizations can't keep up. At this point they're starting to turn children away from their sports activities because they have no place to play.

In response to this growing problem the Northeast Youth Sports Association was created. They consist of eight local youth groups that have joined together to try and acquire property; built fields for kids. NYSA, as they go by, consists of the following organizations. The Sound Beach Soccer Club, PAL, St. Louis Montefort Soccer, Father Basal Sports, Long Island Sound Sharks Football, Rocky Point Lacrosse, Shoreham•Wading River Little League and along with Youth Sports Association.

These organizations total over 7,000 children involved in their programs consisting of football, cheerleading, soccer, lacrosse, baseball and softball. All these group are solely dependent on generosity at the local school districts who lately have become more and more difficult to deal with and recently have been holding us hostage over their budget negotiations.

The property in question is an old farm that as far as I know, I can't remember it being farmed. I've been living in the area for about 12 years. I never remember seeing anything on there. There are no residential properties within the vicinity of it. Only commercial. And there's preserved land to the east of it. This acquisition would be a great location for the children and would be a great start for us.

We've attempted to acquire fields several times and have been turned away at the state, county and town level. Northeast Brookhaven and western Riverhead, we preserve thousands and thousands of acres for the sake of preservation. However, if you go from Mt. Sinai all the way out to Wading River, you'll find there's no place whatsoever for children to recreate. You

know, it's time for you people to step up. We need help. At PAL we consider our greatest resource •• our greatest natural resources are youth. And we need some support for this acquisition. Thank you very much.

P.O. LINDSAY:

Thank you, Officer Yovino. And I think •• I really, you know, appreciate you coming down and your cause. You do a lot of good work with PAL but we try our best to step up to the plate, too. That's how PAL's funded, you know.

MR. YOVINO:

It's not just the stuff for PAL. We're a member of the organization.

P.O. LINDSAY:

Yeah, I know, I know, I know. We appreciate your help.

MR. YOVINO:

Thank you.

P.O. LINDSAY:

•• where it all comes from. You're welcome.

MR. YOVINO:

Thank you.

P.O. LINDSAY:

I was remiss in that I have to set the public hearing for the following IR's for Tuesday June 27th, 2006 2:30 P.M. at the General Meeting of the Legislature at the Maxine Postal Auditorium in Riverhead. IR 1683, IR 1685, IR 1732, IR 1747, IR 1749, IR 1791, IR 1792, IR 1793 and IR 1794. Okay. We caught •• no. Also the public hearing on the Community College budget will be the same day June 27th, 2006 in Riverhead. Okay. Do I have a motion to set those dates for the following hearings?

LEG. D'AMARO:

Motion.

P.O. LINDSAY:

Legislator D'Amaro, second by Legislator Horsely. All in favor? Opposed? Abstentions?

MR. LAUBE:

13.

P.O. LINDSAY:

And a separate motion, on Monday July 31st, 2006 at 1:30 P.M. at the Rose Caracappa Auditorium in Hauppauge the 2006/2007 Suffolk County Community College Budget Hearing as well. Motion by Legislator Browning, second by Legislator Stern. All in favor? Opposed? Abstentions? Okay. I think we're caught up. Mr. Clerk, are you with us.

MR. LAUBE:

Yep. That was 13.

P.O. LINDSAY:

Going back to the public portion, Nicholas Delre? Nicolas Delre, are you still with us? Going once, going twice. Nicholas Delre? David Kapell. Is Mr. Kapell with us?

LEG. ROMAINE:

Mr. Chairman?

P.O. LINDSAY:

Yes.

LEG. ROMAINE:

Mayor Kapell of Greenport had to leave. He was here earlier. He was going to speak on resolution 1515, which was a resolution regarding population count in the Village of Greenport. When that resolution comes up, I'm going to table it so he can come back and address this committee and answer any questions concerning that resolution.

P.O. LINDSAY:

Thank you, Legislator Romaine. Judith McCormick? Is Judith McCormick still with us? Going once, twice. No Judith McCormick. Carolyn Hummel? Is Carolyn still with us? No. Going once, twice, no Carolyn Hummel. Kim Spicciate? Kim Spicciate? Hi, Kim, Please come forward. Forgive what I did to your name. I probably messed it up.

MS. SPICCIATE:

It's Kim Spicciate.

P.O. LINDSAY:

Okay.

MS. SPICCIATE:

I'm a member of the Timothy's Law Coalition. And I live in East Islip. Ladies and Gentlemen, I'm here to speak in support of Legislator Stern's memorialization resolution regarding Timothy's Law and also to deliver a personal message from my friend Tom O'Clair, Timothy's father. Tom would like to thank the Suffolk County Legislature's Health and Human Services Committee for their support regarding Timothy's Law, which will address the needs of millions of New Yorkers. People with mental health needs and substance abuse disorders deserve fair and equal coverage for their treatment. Timothy's Law will provide that. Tom is hopeful that we will have a unanimous passage of the resolution today by this Legislature.

From my part I would like to point out that 35 states •• state Legislators already agree that health insurance must cover physical and mental health services equally. Unfortunately New York is not one of those 35. Right now in New York insurance companies determine how much therapy a person can have under a plan regardless of what the service provider recommends. That's not only ridiculous; it's also very dangerous and a deadly form of discrimination. Timothy's Law, also known as Senate Bill S 6735 A will equalize coverage between physical and mental health services end the insurance industries practice of charging higher co•pays and deductibles and arbitrarily limiting services simply because they can because we haven't passed parity legislation yet in New York State.

Timothy's Law will help prevent the tragic deaths of children like Timothy O'Clair for whom the law is named as well as the death of my stepson, Christopher, who died at the age of 17 two years ago, boys who received fragmented services because their insurer's were under no legal obligation to approve doctor prescribed mental health services. Timothy's Law promotes the well being of New York children and their parents who are ineligible for Medicaid because they work. It puts the decision making power where it belongs, in the hands of the family and the psychiatrist.

Ladies and Gentlemen, please be sure, you tell your colleagues in Albany that the only parity bill that ends discrimination and empowers insured families, the only bill good enough to be call Timothy's Law is Senator Dwayne's bill number S 6735 A. Thank you for listening.

P.O. LINDSAY:

Thank you, Kim. Adrienne Esposito. Is Adrienne still with us?

THE AUDIENCE:

I'll be speaking for Adrienne.

P.O. LINDSAY:

You can't do that.

THE AUDIENCE:

Oh, okay. Then, I'll wait.

P.O. LINDSAY:

Okay? Thank you. Joann Maresca. Maresca? Joann Maresca? Again, if I'm brutalizing the name •• the first name is Joann. If your second name starts with an M, it might be you. Not seeing anybody, I'll move on. Victor Rjesnjansky. Rjesnjansky? Rjesnjansky? No. Victor R•j•e•s•n•j•a•n•s•k•y? You think it's easy? Okay, not seeing Victor, Joanne Solano Greco? Joanne Solano Greco? Last call. Joanne Solana Greco. It looks like Barbara Nixon?

MS. NIXON:

Yes.

P.O. LINDSAY:

What is your first name?

MS. NIXON:

Barbara. I make my d's rather odd.

P.O. LINDSAY:

Barbara. Okay.

MS. NIXON:

Good afternoon, gentle ladies and gentlemen of the Suffolk County Legislature. I have some packets that I've made up for you regarding a group that I represent by the name of the Long Island People's Coalition on Energy Reform. We as a group have come together to launch a movement towards and for a better Long Island regarding the creation and distribution of efficient and affordable energy with or without LIPA. LIPA has had eight years to put an affordable program in place for the people, the consumers, the ratepayers, the taxpayers of Long Island and they have failed us.

We as consumers have heard plans involving wind and gas. We have heard enough of that from Richard Kessler himself. As for green power, the only power that remotely resembles green regarding LIPA's concerns for its consumers is that of the old mighty dollar. LIPA reporting a \$20 million profit for the last fiscal year. Anticipating that these days lie ahead for us regarding a 70 dollar a barrel crude oil price, we should have been ready. We have failed. LIPA has failed Long Island. We are tired of sneak taxes, fraudulent and inaccurate billing taxes that are calculated with surcharges included.

We the people of the Long Island •• we the people of the Long Island People's Coalition on Energy Reform have declared June 15th as lights out on LIPA day. I'm here on behalf of this movement to request of this Legislative body as a sign of solidarity to support this peaceful demonstration by simply flipping a switch and turning off your lights on that day asking of your constituents to do the same. LIPA has heard the outcry of the people and are beginning to feel the ramifications of their reckless

disregard for the people that they serve. It is time that LIPA see and realize who really has the power and the authority to bring change about. And that is of the people of Long Island and Suffolk County. Thank you for letting me speak.

(APPLAUSE)

P.O. LINDSAY:

Thank you, Barbara. Joe Cavaliere. Joe Cavaliere? Last time. Joe Cavaliere? Jo Anne Sanders? Jo Anne Sanders. Last call, Jo Anne Sanders. Anita Grube, it looks like. Anita? No, no Anita. Okay. Howard Carpluk? Howard Carpluk?

MR. CARPLUK;

Good afternoon, Legislators, my name is Howard Carpluk. And I am a neighbor of the Southaven County Park. Before you Kate Browning has a resolution on the table pertaining to the trap and skeet range which is within the Southaven County Park. I strongly support it and I hope each and every one of you would strongly support it.

Just to go on for a very brief description of what's been going on that I have questions to, I'll start back in 1995 when the County had done a 30 day extensive sound study pertaining to the range at that time. In 2002 the County paid for another sound study pertaining to the shooting range. Sometime after that the County paid \$50 thousand from a resolution to do a study on the sound studies coming from the trap and skeet range. Based upon •• this study was to come up with a plan for mitigation on the sound coming from this range and bring forward to the county the abatement needed. All these studies showed dangerous, unhealthy levels of the sound. The decible levels were well above the sound laws. The County had changed the Suffolk County noise law back in 2001 because Ginny Fields the Legislator at the time brought forth a resolution to exempt the shooting range from the county noise law which was 65 decibels. And it passed 17 to one, I believe; totally disregarding the neighbors of the range to pick out just one entity of the county and say let's just exempt the shooting range. To me it was a disgrace.

There are resolutions passed in the Legislature that amounted to approximately \$800,000 for sound mitigation and environmental mitigation. As of this date there is no sound mitigation and they have no plans to install any significant sound mitigation. With regards to the environment the County has removed some piles of clay pigeon and debris and lead from the site, but 90% of the lead is still sitting on the site. My issue is this. These resolutions were brought forward for sound mitigation and environmental issues. Nothing is being done and the money's not being spent towards those two issues. I ask you where is this money being spent?

I had always thought the County strived to be good neighbors with the taxpayers of the County. And with no sound mitigation and changing county laws, the County is being uncooperative and down right arrogant when it comes to opening this shooting facility. Thank you very much.

P.O. LINDSAY:

Douglas •• it looks like Steigerwald? Not too bad.

MR. STEIGERWALD:

My name is Douglas Steigerwald. Thank you for your time many today. I live in •• I moved to Yaphank in the past year. I'm a 25•year•old •• a 25 business year owner in Suffolk County, a past president of Patchogue Chamber of Commerce, founding member of Focus Yaphank.org and a member in good standing of the the Yaphank Civic Association.

My wife and I moved to Yaphank and did our homework. We moved from Patchogue and we contacted our then local Legislator Brian Foley. We were told at that point there's a very good chance the range will not open. There are no environmental concerns. And if it was to open, there will be sound mitigation of modern day thinking with a wall in place, etcetera. Research • and we also knew that the reopening was a violation of the Pines Barren Act which we found through our research on the internet. We were also told by your Parks Department that it was closed. It's also stated in the your website that it's closed. This is, again, in violation of the Pine Barrens Act.

It's my opinion now after moving into Yaphank and experiencing overall hearing that many decision makers based their decision based on mis

•information that was proposed in this same room. This Legislative process that honored myself as Volunteer of the Year in the Seventh District in 2000 by Brian Foley has failed us in December of 2005 when it voted to reopen this. I don't understand how 17 people can unanimous vote on such a high issue that's so •• has so many things to think about. When I received the honor, Man of the Year in the Long Island Advance 2000, it was doing so while energizing people to get involved in the legislative process and local government to affect positive change in their community. This allusion •• I'm now left with many questions. One I must ask this legislative board is to review and support Kate Browning's resolution to cease all ongoing efforts to reopen this gun range. While reviewing, please ask yourself would I wish to support an unhealthy venue and here's a quote from one of your employees Bob Savhart, the Principal Public Health Sanitarian, the biggest concern for the county department, it operates near an active park and lead can be inhaled and transferred to the hands through normal activities which segues to a question someone e•mailed in, God forbid there's a wild fire which we just had actually in Yaphank what would then happen?

Here's another question to ask yourself, is do I wish to support and promote a county venue that is in direct violation of the Pine Barrens Act? If I was a decision•maker would I •• I'm sorry. I lost track here. So anyway to effect hopefully a positive change here, we're also part of a public awareness committee. So just so you're aware of tomorrow breaking, there will be adds. Public information for people who call and ask their own questions and become informed and go to Focus Yaphank.org to learn more and and actually hear what is •• we will hear 1.2 miles away. It will actually be a living hell for thousands of people. It's all right there on the website for your own information. This legislator has a unique ••

P.O. LINDSAY:

Your time is up, Mr. Steigerwald.

MR. STEIGERWALD:

•• opportunity to right a very obvious wrong. Please support Kate Browning's resolution to cease all ongoing efforts. And if there are no questions for myself I thank you for your time.

P.O. LINDSAY:

Okay. Darlene Klouda. Darlene Klouda? Darlene Klouda? No. Michele Nudelman?

MS. NUDELMAN:

Hi. My name is Michele Nudelman. And I live in the New Imperial Gardens in Dix Hills, New York where Suffolk County and Smithtown are colluding and plan to dump traffic from the new Commack big box crossing onto Commack Road County Road 4. The project has been allowed to go forward by Suffolk County despite the fact that your own Planning Commission rejected the proposal and all of the traffic mitigating plans required by the Suffolk County Department of Public Works involved the taking of private land in order to enrich real estate developers.

The residents of the New Imperial Gardens vehemently oppose Suffolk County's continued illegal attempts to steal private property in order to enable big developers and campaign contributors at the expense of Suffolk County's hard working property owners and citizens. My investigation has revealed that Suffolk County does not have any fee ownership on the west side of Commack Road along the New Imperial Gardens development which can be found on maps filed with Suffolk County Clerk as Huntington number 6670 and number 6681. These maps show that the County has only a limited easement for the purpose of slopes and embankments on the northern portion of Commack Road along the development. Therefore, it is illegal and a criminal trespass for Suffolk County and its Department of Public Works officials or their agents to install a traffic signal on the rear of any of the properties backing Commack Road.

The current property owners have been made aware of this criminal trespass and potential illegal taking of their property. Since the planned traffic signal at the proposed new junction of Commack Road, County Road 4 and Crooked Hill Road County Road 67 cannot be installed on the west side of Commack Road, the alleged traffic mitigating and safety conditions on which Commack big box crossing developers permits and SEQRA are based cannot be satisfied. It is now up to the Legislature to pass a resolution stopping criminal trespass at the New Imperial Gardens and the illegal seizing of private property at the New Imperial Gardens and to instruct County

Executive and the Department of Public Works to annul the work permits for the proposed intersection. Do not steal the private property of your taxpayers to benefit rich developers. Thank you.

(APPLAUSE)

P.O. LINDSAY:

Louis Prisco. Louis Prisco? Last time, Louis Prisco? Kasey Jacobs again. Kasey?

MS. JACOBS:

Hello again. As you know, my name is Kasey Jacobs. And I'm representing Citizens Campaign for the environment. I know there's no proposed Bergen Point Sewage Treatment Plant at the moment. No information really to go on this. However, we would like to offer general comments on sewage incinerators for your consideration of any new facility in Suffolk County.

In the past when the Bergen Point incinerator was in operation CCE received numerous phone calls from Babylon residents complaining of the odors. Any new proposals would need to explicitly show how the ill effects would be mitigated. Odors while not harmful can have a serious and deleterious effect on a community's quality of life as well as a real negative impact on property values of the impacted community. There are a number of potentially harmful emissions from sewage incinerators such as dioxins, carbon monoxide and hydrocarbons. Particulate matter, heavy metals including mercury and cadmium, nitrogen oxides, sulfur dioxide, hydrogen chloride and carbon dioxide. Also, according to the EPA inhalation isn't the only route of exposure, but there is also deposition of these pollutants especially dioxin into the soil, crops and water in the neighboring areas.

Members of the public with home gardens are especially at risk when consuming the foods that have been exposed on a regular basis. The incinerator that was shut down at Bergen Point used technology that would no longer be acceptable. Newer technologies are available that prevent harmful air emissions. In fact the EPA categorizes a lot of the technology used at the closed Bergen Point incinerator as having emission factor rating

of E for poor. New technologies must be explored first such as fluidized bed incinerators of the current multi earth or switching from incinerators in general to converting the bio solids into a glass•like aggregate are some possibilities.

Safe disposal of the ashes is another critical issue. The current plan for the ash generator from the proposed Bergen Point facility is to utilize landfill disposal. While the incineration does indeed reduce the amount of waste associated with sewage treatment facilities, however this quick fix method does not utilize the emerging and very beneficial market of recycling ash into cement blocks and other construction materials. This system is being used at other incinerator plants. We need to explore and evaluate those options.

Also, there are heavy metals involved in the incineration and the ash needs to be disposed of properly. Therefore any proposal needs to include the use of the best technology available. Reopening the Bergen Point facility may be an enticing quick fix, but it may also not be the best choice. We won't know the best choice until we know our options. CCE believes that a comprehensive plan is needed for sewage treatment and disposal in Suffolk County. This proposal needs to be removed from the Suffolk County budget, it already is, until all options can be evaluated and comprehensively explored. Thank you.

(APPLAUSE)

P.O. LINDSAY:

Thank you. Karen Watt.

MS. WATT:

Good afternoon. To take an action on a decades old plan without first doing studies is not only irresponsible, it is dangerous. In the past, when Bergin Point Sewage Plant incinerated waste, there was an excessive amount of children in our community with cancer. We will do whatever it takes to protect our children from your cancer factory this year, next year, and every year that follows.

(Applause)

P.O. LINDSAY:

John Watt.

MR. WATT:

Good afternoon, John Watt. I came here today to talk about the proposed incinerator at Bergen Point. When we got in the door we saw a news conference that said that it was pulled from the budget from the Legislature, I believe. It also was said that the County Executive had decided to pull it from his budget. I think that's what I heard. This is where things get cloudy.

I haven't really heard that this budget is •• that this issue is dead. It sounds to me that it's still potential that if a private firm were to come in here, oh, in a year, six months, three months, and offer to build this plant for no fee, we might jump on board. So with that said, I want to be clear. This plant is not going anywhere. We won't accept it.

I want to read a paragraph from the New York Code of Rules and Regulations. It's in the Title Five Permit and it's applicable State requirements, New York NYCRR 211•2. "No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristics or duration, which are injurious to harm plant or animal life or to property or which unreasonably interferes with the comfortable enjoyment of life or property, notwithstanding the existence of a specific air quality standard or emissions limit, this prohibition applies, but is not limited to any particulate, fume, gas mist, odor, smoke, vapor, pollen, toxin, deleterious emissions either alone or in combination with other." To me all of the issues regarding the plant seem to be in violation of that one paragraph alone.

I want to go a little •• quick little history as to how the public became aware of this issue. Sometime back in the first week of May, a friend of ours, Kenny, who is going to speak later, noticed some construction equipment and material being delivered to the Bergen Point Plant. He went online and he noticed •• he found a notice to bidders, which we believe is number 8180 of the cap project, and it appears to be the work that's going on now at the

incinerator, which is •• I think it's an expansion, some rehab work on some of the sludge blending tanks if I'm correct. I think that's what's happening now. We believe that this is all in preparation for going online with this incinerator at some •• down the line.

Further investigation revealed the Tile Five Permit Review Report.

P.O. LINDSAY:

Could you wrap up, Mr. Watt. Your time is up.

MR. WATT:

That was the quickest five minutes I've ever had in my life.

P.O. LINDSAY:

It's three minutes. Three minutes, public portion.

MR. WATT:

Considerably less than I thought, but with that I say that there is no way that we will sit down and let this plant happen ever. It's not going to be a private plant, it's not going to be a public plant. It's not going to be for the guys so the union guys can get some work. No plant at all. Thank you.

(Applause)

P.O. LINDSAY:

Mark Serotoff.

AUDIENCE MEMBER:

He submitted something for the record.

P.O. LINDSAY:

Kenneth Walsak.

MR. WALSHAK:

Good afternoon. Of course to burn the stuff you need fuel for your incinerators. In a 23 Permit Review Report, on page four it says there will be two {Cleveland Brooks} boilers fueled by burning up to 280 gallons per

hour of number two fuel oil. That 67,000 a day, 47,000 a week, and 12,465,000 a year. Just at three dollars a gallon, that's \$36 million a year. In a flood zone, where do you put the tanks?

And I also noticed there's military trucks with the logo from the Marines on the side. What do they want with this facility? And I have seen 50 trucks loaded with steel being off loaded on to the premises.

On a tour of Bergen Point, the facility, we were told the steel has nothing to do with the incinerators, but unless you are building a mall, I don't get it. Right now diesel trucks are in and out of that plant 24/7, 365 days a year. I'm against the plan. My family, my neighbors, are against the plan. And I can't even imagine how this came to in the first place. Thank you.

(Applause)

P.O. LINDSAY:

Philip Banculli.

MR. BANCULLI:

I waive my right to speak right now.

P.O. LINDSAY:

Thank you. Frederick Kameron.

MR. KAMERER:

Good afternoon. My name is Fred Kameron. I reside in Babylon Village and I have a working business in Amityville. My marine business puts me on the bay almost every day of the week, okay. The plant is an ugly plant. Now, when I do my offshore fishing, and enough said about all the environmental hazards and everything else. I can see a cloud over Manhattan skyline, yellow and gray. If you guys are going to introduce a plant that's going to cloud Babylon and the residing villages around Babylon with that same cloud, since you've already approved all the senior citizen housing, all the assisted living housing, all the affordable housing, you want to kill everybody, you know, like we're doing?

(Applause)

We're going to have an air zone watch every day of the week? It's not good to come outside, it's not good to stay inside. I'm asking this board to not just stave this program, but to offset this program and get rid of it entirely. Thank you.

And I also want to ask you, how come you're allocating the funds now that was allocated for this jail over to •• for this plant over to the jail when you have a pipeline leaking fluids into the bay and into the ocean every day of the week turning my bay brown? Every year it's brown from leaking from the sewer plant.

(Applause)

Take those funds and put it back where it belongs, in the upgrade of this plant and this facility. Thank you.

P.O. LINDSAY:

Madeline Sheldon.

MS. SHELDON:

Good afternoon. My name is Madeline Sheldon. I live at 81 Muncie Road in West Babylon, which is one block west of Bergen Avenue. For more than three generations and 60 years our family has had a resident on Muncie Road. I'm not going to repeat everything that everyone else said except to say a lot of the projects that have come to our town fall very short of the promises made.

Most recently, the promise at the corner of Muncie and { Kirby} , where they devastated property that was stripped and trees were supposed to be preserved that were more than 50 years old. The land is totally stripped now, and there is five McMansions on the property. The sixth one is property to be sold in the future with some sort of 3,000 foot residence to be put on that property.

The only other thing I have to say, incinerators in the middle of a residential

area, which contains more than five elementary, one junior and three senior high schools within two miles should never be a consideration. If this needs explaining, we have serious problems. What kind of a message does this send to our children?

As of this morning, I'm a real estate agent, I checked the listings on houses to be sold from Amityville to Bay Shore. There are more than 1,500 homes for sale. This is a very high number, more than usual. This figure continues to climb daily. Overpopulation, on taxing on services, environmental, and some of the highest taxes in the County as well as the nation, is forcing a lot of families to leave the Island. We can't afford on many levels to try and fix this after the damage is done.

Anyone who seriously feels it's a good idea should put it in their yard. To my grandchildren, Megan and James, Nan tried. I hope that you'll be able to look your children and grandchildren in the eye and say the same thing. Thank you.

(Applause)

P.O. LINDSAY:

Uzo Akujuo.

MR. AKUJUO:

Hi. I'm here on behalf of the Coalition of Landlords, Homeowners and Merchants. One of the reasons why I came here today is that adequate notice was not given to the residents of Babylon about what was planned here. If not for the curiosity and vigilance of the people who live in the area where this incinerator is to be opened, people would have no clue about what is going on, which is why I decided to come down to represent the thoughts of the members of the Coalition of Landlords, Homeowners, and Merchants.

I have to say that people are dumbfounded that they get hassled for renting out space in their properties, for unregistered cars on their own property, five inch grass, cigarette smoke in private businesses and finished basements, yet the County wants to burn waste from cesspools right across

the streets from your constituents residences.

I hope we can all agree that five inch grass is less toxic than cesspool waste which should not be burned in a residential neighborhood.

We have heard of financial reasons for this incinerator, but the homeowners of Suffolk have financial reasons for their activities for which they are constantly hounded by government. We constantly have to hear about property values going down because of unregistered cars in the neighborhood. But I think I will be less likely to buy a house in a neighborhood where fumes from human waste was being let out into the air than I would be to buy in the neighborhood with unregistered cars. So, waste incinerator is a bigger threat to property values.

Why doesn't the County have to jump through the same type of notice and environmental impact study hoops that the people have to jump through when they want to build a mall or even extend their home so grandma can move in during her old age? This is yet another way that the government {bleazes} its constituents.

I hope that for the sake of the property values, health, and for the noses of the people of Babylon, you will decide that if you must burn the County's waste that you do so in a more remote area, not in the County's most populous area. Thank you.

(Applause)

P.O. LINDSAY:

Lisa Ludwig.

MS. LUDWIG:

I'll try to do this in three minutes. I would like to thank you all for this opportunity to speak with you today on behalf of my family and community. I will spare you the undisputed facts about parts per million of toxics that are emitted from these types of plants.

We're are here today to bring a message to you about how strongly we feel about there not being a smoke stack that spews toxins from Bergen Point

into our backyards. The idea that our elected officials, both County and local, with the exception of our Mayor, knew about this plan and never so much as questioned the idea or the fact that they never informed the community members about this I find unconscionable.

If any of these elected officials were about to have two 125 foot smoke stacks built literally in their backyards, I think they would have •• at least have a question about it.

Until we, the residents of this community, found out about this plan, not a word was spoken to any of us. And then to insult our intelligence and try to convince us that they never knew about this plan is simply intolerable.

With Long Island having one of the highest cancer rates in this country, the idea of putting such a thing on the table, never mind being 99 percent complete with engineer reports and ready to move ahead with this plan, it should have never •• it should have been out of the question from the beginning. The previous stack had nothing but problems and had to be shut down.

Have you ever visited a children's cancer ward or sat for hours in a chemotherapy room where they are filled to capacity and looked at the faces of the young and old, and every age in between, hoping for another chance at life? Well, this is where we do not want to be sitting with our children as a result of the Bergen Point Sewer Plant.

It is my understanding that there was at least one case of childhood cancer in our community which the doctors did blame on the incinerators. If any of you have had this unfortunate experience of a day in the life of a cancer patient, then you would certainly never elect to commission such an idea in a community full of children.

With the southwest wind in the summer, instead of smelling the beautiful Great South Bay, we will once again be forced to breathe in the foul smell and toxic odor of burning sewage. Such a plant belongs in an area where there are not residents with a stone's throw away.

One issue that Mr. Levy seems to be misinformed on is the so-called elimination of truck traffic to and from the plant. After being afforded a tour

the plant a couple of weeks ago, we learned that most of the truck traffic is from that of cesspool trucks coming and going with scavenger waste. By two or three o'clock every day we learned the scavenger waste part of the facility is full and they turn away trucks.

We should all be looking at where are those trucks going to dump their waste. They make no money while they sit idle and full of raw sewage. Only four to five trucks leave that facility every day with finished product to be shipped out of state. The vast majority of the truck traffic will not be eliminated, but the truth of the matter is that it will increase due to the more increased capacity of the plant to accept more scavenger waste from more trucks.

The lack of clear facts regarding this issue of traffic truly leads me to believe that Mr. Levy nor most of our local officials truly grasp this fact or are just choosing to spin the real truths here. Instead of having Bergen Point Sewage Plant burn all of Suffolk's waste and some of Nassau's also, should we be looking seriously at ••

P.O. LINDSAY:

Could you wrap up, Ms. Ludwig, please?

MS. LUDWIG:

•• building a scavenger waste plant out east, not in our backyard.

(Applause)

P.O. LINDSAY:

Paul Steinberg. Paul Steinberg. Gordon Canary.

MR. CANARY:

Correct, Canary. Good afternoon, Presiding Officer Lindsay, members of the Legislature, elected officials and other concerned citizens in the audience today. The Senator would like to thank our constituents who came down today, took time out of their busy schedules to be here for a few hours to make it known their vehement opposition to the incinerators at the Bergen Point Treatment Plant.

I appear before you today on behalf of Senator Johnson as his duties in Albany prevent him from appearing in person and he asked me to read the following letter. I am Senator Johnson's District Office Manager and ironically I started my career in government 28 years ago in these very chambers. I worked for the County Legislature for five years. I have been with Senator for about 18 years now. This letter has been sent to County Executive Levy and, again, Senator asked me to come today to read it to each and every one of you.

"I write today to express my strong oppositions to the recently announced proposal for Suffolk County to reconstruct the sludge incinerator at the Southwest Sewer District's Bergen Point Treatment Plant in West Babylon. Regardless of whether the County choose to operate these incinerators or if they choose to privatize this operation, it's simply a bad idea.

The Bergen Point Sewer Treatment Plant is located in my Senate District. Since the early 1980's when the treatment plant first went on•line, my constituents residing in the communities of Babylon Village, Lindenhurst and West Babylon have had to endure periodic foul odor emissions from the aeration and other processing tanks, a frequent parade of scavenger waste trucks on our local roads traveling to and from the plant, and the constant foul odors emitted by the former sludge incinerators that failed to work properly from the first day they were put on•line.

For over 25 years my constituents have had to tolerate these problems to the point where many of them have filed property tax grievances with the Town of Babylon because of the diminishment in their quality of life. We have every reason to believe that the construction of these incinerators will simply make a bad situation worse.

In addition to these concerns, it has been reported that the height of the new smoke stacks which would service the incinerators will be several stories tall and be a further visual blight on the shoreline of the Great South Bay. The residents of these affected communities were promised in the past that the Bergen Point Sewer Treatment Plant would be operated in an environmentally friendly manner. Sadly, these promises have been broken

time and time again.

Clearly we all understand that the County has to dispose of the plant's 8,000 tons of sludge each year in some manner, but neither I nor my constituents believe adequate consideration has been given to alternative disposal plans other than incineration. I urge County officials to go back to the drawing board and craft a better solution. With best personal regards, Senator Owen Johnsen." Thank you for your attention.

(Applause)

P.O. LINDSAY:

Mona Baldauf. Mona Baldauf? No, no Mona Baldauf. I'm having trouble with it. James Bratner? Bartner? James, I'm sorry if I mispronounced your name. I can't make it •• pardon?

MR. BATRADGE

Batradge? B•A•T•R•A•D•G•E?

P.O. LINDSAY:

Yeah, that looks like it could be it.

MR. BATRADGE:

Considering three minutes is the limit, I'm going to •• I had a whole bunch of things I'd like to talk to you about but I'm going to bypass most of them.

I'd like to go back to a point made by Lisa Ludwig a moment ago. One of the things I find infuriating in going through particularly the press coverage and everything I've heard mentioned about the incineration process is it always comes up that the incineration process will drastically reduce and perhaps eliminate the traffic in and out of the Berget Point Plant. That is just •• I won't say it's a lie, it's a factual misstatement.

Indeed it won't eliminate, it won't reduce •• the traffic's going to go up, gang, you know. You folks, you've got a budget where you are increasing the capacity of the plant. If the incinerator burns it will eliminate six trucks a day. Six trucks a day •• compare with the hundreds that go and out every

day is nothing. You're increasing the capacity by 35 percent. There is going to more trucks coming in, not less. So let me get off of that.

Second this is, and let me cover a topic that nobody else, I don't think, is going to cover today. This idea of privatization •• privatization is a great idea. Indeed, there is no element of anything that government does that hasn't been privatized. Airports, cleaning concessions, trains, buses, on and on and on, everything has been privatized. And you folks are talking about bringing a company in and privatizing.

I have a lot of experience in that area going back to the mid 1960's. Ross Perot established an electronic data system corporation. He invented this whole thing of outsourcing and privatization with regard to information services. I have done gangs of this stuff. I have done it on the federal level, I've done it on a state level, I've done it on city level, local level. It works great. It will save between 20 and 50% of the budgetary amount allowed for these things. However, it's got to be done intelligently. It's got to be done intelligently, and I just advise you as you proceed in this thing, please think very cautiously because I'm about to give you a little bit of my experience. The way you're talking about doing it, it's not going to work. You are going to wind up with lawsuits, you are going to wind up with personnel problems, you are going to wind up with complaints. You are going to wind up with more damn problems than you think that this thing is going to solve.

Now, you are sitting here saying who the hell is this guy to be telling me this? I'm a guy who in •• Senator {Eggleton}, a Senator asked me to come down to Washington a number of years back and he considered me an expert in this particular field. And he valued my judgement and he asked me ••

P.O. LINDSAY:

James, could you wrap up? You are out of time.

MR. BATRADGE:

I'll wrap up. The federal government at the time was going to eliminate 120 insurance companies, 30,000 insurance agents. They were going to bring

the whole thing in the federal government and myself other people showed him how to privatize this thing.

I guarantee you, if you want to privatize it, privatize the whole damn thing. Don't try to break off the incineration and privatize it. It's not going to work. All right? So, thank you very much. And by way, I am diametrically opposed to this whole incineration thing. It's a disaster. I've lived through it once already. I'm thirty•three year old resident of the Village of Babylon. You stunk me out once before. You got a new damn thing going this time, you are going to be 130 foot towers and make us look like, you know, Shoreham or make us look like Port Jefferson stacks.

P.O. LINDSAY:

Time's up, James.

MR. BATRADGE:

Disaster, disaster.

(Applause)

P.O. LINDSAY:

Deborah Plezia? Deborah Plezia? It's the only card left.

MS. PLEZIA:

Okay. Then it must be me. My name is Deborah Plezia and I live in Bergen Point. I look at the incinerator. I look at that whole plant every day. The trucks going up and down Bergen Avenue, you've never seen anything like this before in your life. It's like living in the city. Okay? There's no getting around it. But it's there. I chose to live there because of the area and the beautiful bay and everything else. And I deal with the trucks. What nobody is really saying is nobody's done any studies; okay? I have an unofficial study for you.

The last time the incinerator was there an average pediatrician might see one case of leukemia. Okay? A local pediatrician the last time the incinerators were there saw nine cases of leukemia. Okay. Now, you're going to say well, this is an unofficial study. Well, nobody's done a study on

the last time the incinerators were there and how many cases of leukemia we had. Nine cases by a local pediatrician. I have three children. I can't allow you to give my children cancer. I just can't allow you to do that. That's all I have to say.

P.O. LINDSAY:

That's all the cards. Is there anyone else that would like to address the Legislature? Do you want to speak again, Michael?

MR. SEALBACK:

My name is Michael Sealback, Senior Director of Coalitions and Policy for the American Lung Association of New York State. I'm here to add our voice to the many who oppose the previously proposed privatization and reconstruction of the Bergen Point Sewer Treatment Facility. Several years ago this facility was responsible for releasing a multitude of pollutants into the surrounding south shore communities of Long Island. If the original proposal was ever to be enacted, we can expect to see hundreds of pounds of pollutants emitted from this plant.

I have often told you about Suffolk's failing air according to our state of the air report. So I will not reiterate. But in addition to our opposition to this plan, it's important that we also recognize that we do not support the status quo. The current system of transporting our waste off of Long Island is highly polluting. I'm going to reiterate our strong, strong support of intro resolution 1645, which would clean diesel and therefore making the waste that we're trucking off Long Island cleaner. And while we're not putting up a new plant, we should also be keeping the trucks that are going •• driving through our communities clean. Thanks.

P.O. LINDSAY:

Okay. That concludes the public portion. I'm going to call a ten minute recess to take care of natural callings. All right? So, we're going to be back here at ten minutes to. I'm going to start ••

LEG. CARACAPPA:

Motion to close. Thank you very much, Legislator Carcappa. Do I have a second?

LEG. MONTANO:

Second.

P.O. LINDSAY:

Second. All in favor? Opposed? Abstentions?

[SUBSTITUTION OF STENOGRAPHER • ALISON MAHONEY]

(*Brief Recess Taken: 3:44 PM • 3:59 PM*)

P.O. LINDSAY:

Would all Legislators report to the horseshoe, please? We will resume with the agenda, finally. Mr. Clerk, would you call the roll.

(*Roll Called by Mr. Laube • Clerk*)

LEG. ROMAINE:

Present.

LEG. SCHNEIDERMAN:

Present.

LEG. BROWNING:

Here.

LEG. CARACAPPA:

Here.

LEG. LOSQUADRO:

Present.

LEG. EDDINGTON:

(Not in room).

LEG. MONTANO:

Present.

LEG. ALDEN:

Here.

LEG. BARRAGA:

Here.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Here.

LEG. HORSLEY:

Here.

LEG. MYSTAL:

(Not in room)

LEG. STERN:

Here.

LEG. D'AMARO:

Here.

LEG. COOPER:

Here.

D.P.O. VILORIA • FISHER:

Here.

P.O. LINDSAY:

Here.

LEG. BROWNING:

Tim?

MR. LAUBE:

17 (Not present: Legislator Mystal).

P.O. LINDSAY:

Okay, we're going back to the Capital Budget; it seems like that was just this morning.

I think the first standalone that isn't impacted by us passing the •• Resolution 1 goes to page five of seven, it's standalone 3; **2144, Community College, Repairs of athletic fields college•wide. It adds 1.6 million in '08 for installation of turf on three athletic fields at the Grant Campus, 50% State•aided.** Do I have a motion?

MR. LAUBE:

Which number is this? I'm sorry.

P.O. LINDSAY:

2144.

LEG. SCHNEIDERMAN:

Motion.

P.O. LINDSAY:

Motion by •• who made the motion?

MS. MAHONEY:

Schneiderman.

MR. LAUBE:

Sorry, Legislator Lindsay, which budget number? I have them numbered ••

P.O. LINDSAY:

Three, 2144.

MS. VIZZINI:

Budget Amending Resolution 3.

MR. LAUBE:

Thank you.

P.O. LINDSAY:

All right, I do not have •• is everybody with me now?

We're on page five of seven. Does anybody see something I forgot in the first four pages? No? Okay. I have a motion; is there a second?

LEG. LOSQUADRO:

On three.

P.O. LINDSAY:

There is no second; motion fails for lack of a second.

LEG. SCHNEIDERMAN:

My motion was on •• I'm sorry, I thought we were on 2120.

LEG. CARACAPPA:

Moving on.

P.O. LINDSAY:

Okay, ***Budget Amendment 8, Resolution 4080, Health, add \$50,000 for planning to the 207 for Health Services to develop a pilot outreach program for Melanoma Screening Services.***

LEG. SCHNEIDERMAN:

Motion.

P.O. LINDSAY:

Motion by Legislator Schneiderman. Is there a second?

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

Second by Legislator Losquadro. Is there any discussion?

D.P.O. VILORIA • FISHER:

Mr. Chairman, for reasons that I articulated this morning regarding this resolution, I'm going to oppose this amendment, which is that I believe it should be in the Operating Budget.

P.O. LINDSAY:

Thank you. Any other comments? Yes, Legislator Schneiderman.

LEG. SCHNEIDERMAN:

Just one comment, that putting it in the Capital Budget wouldn't preclude us from putting it in the Operating Budget as well, so we'd have the choice. But I think we should move forward now, it's on people's minds with the summer time arriving. And certainly, you heard from BRO saying that it was perfectly appropriate to have it in the Capital Budget.

P.O. LINDSAY:

Okay. Any other comments? All right, hearing none, please call the roll.

(*Roll Called by Mr. Laube • Clerk*)

LEG. SCHNEIDERMAN:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. ROMAINE:

Yes.

LEG. BROWNING:

No.

LEG. CARACAPPA:

Yes.

LEG. EDDINGTON:

No.

LEG. MONTANO:

No.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

No.

LEG. MYSTAL:

No.

LEG. STERN:

No.

LEG. D'AMARO:

No.

LEG. COOPER:

No.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Eight.

MS. VIZZINI:

Mr. Presiding Officer?

P.O. LINDSAY:

Yes.

MS. VIZZINI:

You may consider Budget Amending Resolution 5; it does not conflict with Omnibus, but it does advance construction monies.

P.O. LINDSAY:

I'm sorry, I missed that; what page is that?

D.P.O. VILORIA • FISHER:

It's page five of seven.

P.O. LINDSAY:

Okay, I'm sorry I missed that one. It's ***Budget Amendment 5, 2174, Community College, Science, Technology and General Classroom Building, advances \$22 million for construction from subsequent years to 2008, advances \$4,950,000 for equipment from subsequent years to '09, 50% State funded.*** Do I have a motion? I don't have a motion.

The resolution fails for lack of a motion.

P.O. LINDSAY:

Budget Amendment 10, 5123, Highway, interchange improvements for County Road 111 at LIE Service Road, adds \$100,000 for land acquisition in '07, 1.9 million for construction in '08 for the interchange of County Road 111 and LIE Service Road. Do I have a motion?

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

Motion by Legislator Romaine. Do I have a second?

LEG. SCHNEIDERMAN:

Second.

P.O. LINDSAY:

Second by Legislator Schneiderman. On the issue?

LEG. ALDEN:

On the motion?

P.O. LINDSAY:

Yes, Legislator Alden.

LEG. ALDEN:

I'm not a hundred percent correct, I'm remembering this testimony as it was given to us, but I don't believe that they could move this fast on this project, that DPW did come down to us and tell us that it really couldn't happen.

P.O. LINDSAY:

Your memory •• you're younger than I am, so you probably have a better memory than I do.

LEG. ALDEN:

I don't know, Bill. But that's my recollection of it, that DPW stated to us they couldn't do it.

P.O. LINDSAY:

Legislator Romaine.

LEG. ROMAINE:

Yes. We will be appropriating at today's meeting under the resolutions, IR Resolutions, \$200,000 to hire Dunn Engineering to do the engineering this year for this project.

This is Exit 70 of the Expressway, it is an area where they have several fatalities. And in fact, there was a huge accident there just last week, it's heavily, heavily traveled. That exit is backlogged up on to the Expressway, a lot of the problems have to do with the roadway on 111. It is known as the gateway to the Hamptons because a lot of people take that, go out on the Expressway and take that exit to go there. It gets heavily trafficked, it is a problem. There is a resolution to appropriate the money for this year's Capital Budget to start the engineering work. I think that we should definitely put some money aside in 2008 so that we can do some improvements and possibly do some land acquisition now to widen some of the shoulders and some of that. So I definitely would recommend this, I think this is a necessity. Budget Review, I don't know if they have a comment on this.

MS. VIZZINI:

No, we didn't write up this particular project.

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

Now I have a little fuller recollection. A hundred thousand dollars for land acquisition? They said it couldn't happen for two years because that's how long it takes lead time for the condemnation and after they do the work that's required under the appropriations that we might do later on this afternoon, there's about a two or three year lead time to actually get the construction going.

So, I mean, maybe it's well worth doing and I'm not going to the merits of the project or disputing the idea that there are deaths there, it's a bad traffic area, but physically and practically they just can't do it. So even if we put in a plan, they absolutely can't do it and that was the testimony that they came before us with.

P.O. LINDSAY:

Any other comments? Roll call.

(*Roll Called by Mr. Laube • Clerk*)

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

No.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

No.

LEG. MONTANO:

No.

LEG. ALDEN:

Pass.

LEG. BARRAGA:

No.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

No.

LEG. MYSTAL:

No.

LEG. STERN:

No.

LEG. D'AMARO:

No.

LEG. COOPER:

Nope.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

LEG. ALDEN:

Yes.

MR. LAUBE:

Seven.

P.O. LINDSAY:

Amendment 11, 5168, reconstruction of portions of County Road 11, Pulaski Road, Huntington, advances \$3 million for construction from '08 to '07 to advance the project. Do I have a motion? No motion. Fails for lack of a motion.

12, 5200, Dredging of County waterways, adds \$800,000 for site improvements in '07 for dredging County waterways. Do I have a motion?

MR. LAUBE:

Motion.

P.O. LINDSAY:

Motion. Do I have a second?

LEG. SCHNEIDERMAN:

Second.

P.O. LINDSAY:

Second by Legislator Schneiderman. Any discussion?

LEG. ROMAINE:

Very briefly, this issue was discussed before. The dredging money for this County, as proposed in the County Executive's proposed Capital Budget, was cut almost in half from previous years, there's been a standard that we've maintained. We have a backlog now, that backlog is going to grow. Some of the major dredging projects that would be affected by Public Works would •• is a list that was circulated, I don't know if you have that list, but it's some of the projects that will be impacted by the lack of dredging money in this County. We have a backlog now, that backlog will grow, I think that it is worth it that we put this money in. I agreed with Joe that it would have been better to buy a second dredge, but since that was opposed as too expensive, our only alternative is at least keep level the amount of funding that we give for interface dredging.

So I think this is well worth it. I think we need to do it. If we don't it will affect just about every district except I think, Jon, your district is landlocked, anyone else's district, Joe's district is land locked. But the districts that aren't landlocked, it's definitely going to impact them, if not now this year, down the road because the backlog will grow and it will impact all of us. This is to keep funding even with what •• where it's been in past years, as Budget Review had indicated earlier today. So I think it's worth while that we adopt this.

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

Through the Chair. Of the sponsor, it says here for site improvements; you mean improvements to the waterway.

LEG. ROMAINE:

Yes.

LEG. ALDEN:

Okay, thanks.

P.O. LINDSAY:

Any other comments? Okay, roll.

*(*Roll Called by Mr. Laube • Clerk*)*

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

No.

LEG. MONTANO:

No.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

No.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

No.

LEG. MYSTAL:

No.

LEG. STERN:

No.

LEG. D'AMARO:

No.

LEG. COOPER:

No.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Eight.

P.O. LINDSAY:

Budget Amendment 13, County share for reconstruction and dredging of Shinnecock Inlet, Southampton, adds 2,090,000 for construction in subsequent years to provide for County's portion of completed dredging phases. Do I have a motion?

LEG. SCHNEIDERMAN:

Yes, motion.

P.O. LINDSAY:

Motion by Legislator Schneiderman. Do I have a second?

LEG. ROMAINE:

Second.

P.O. LINDSAY:

Second by Legislator Romaine. On the issue, anybody want to speak?
No. Okay, call the roll.

(*Roll Called by Mr. Laube • Clerk*)

LEG. SCHNEIDERMAN:

Yes.

LEG. ROMAINE:

Yes.

LEG. BROWNING:

No.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

No.

LEG. MONTANO:

No.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

No.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

No.

LEG. MYSTAL:

No.

LEG. STERN:

No.

LEG. D'AMARO:

No.

LEG. COOPER:

No.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Seven.

P.O. LINDSAY:

Skipping down to ***Budget Amendment 16, study for reconstruction of County Road 58, Old Country Road, Town of Riverhead, advances 10.6 million for land acquisition, one million from Feds, 9.6 million in serial bonds from subsequent years to 209 and adds 33.9 million for construction and subsequent years for improvements to County Road 58 as requested by the department.***

LEG. MYSTAL:

What number are you on, sir?

P.O. LINDSAY:

I'm on 16, project 5529; it's on page six of seven.
Okay, do I have a motion?

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

Motion by Legislator Romaine. A second?

LEG. SCHNEIDERMAN:

Second.

P.O. LINDSAY:

Second by Schneiderman, okay. On the subject, any discussion?

LEG. ROMAINE:

On the motion, I would say this is County Road 58, this is a heavily traveled road that's jammed with congestion; it's the road that you go from Tanger to the rest of the east end on the north fork. This has been recommended

by the Department of Public Works as absolutely necessary for traffic flow and it is something that I think is worth while.

P.O. LINDSAY:

Would you call the roll?

(* Roll Called by Mr. Laube • Clerk *)

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

No.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

No.

LEG. MONTANO:

No.

LEG. ALDEN:

No.

LEG. BARRAGA:

No.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

No.

LEG. HORSLEY:

No.

LEG. MYSTAL:

No.

LEG. STERN:

No.

LEG. D'AMARO:

No.

LEG. COOPER:

No.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Five.

P.O. LINDSAY:

Budget Amendment 19, Project No. 5560, reconstruction of County Road 4, Commack Road from the vicinity of Nicoll's Road to Polo Street, adds \$100,000 for construction in '07 which includes \$80,000 in Federal aid for the rehabilitation of pedestrian bridge over Commack Road. Do I have a motion?

LEG. STERN:

Motion.

P.O. LINDSAY:

Motion. Do I have a second?

LEG. COOPER:

Second.

P.O. LINDSAY:

On the question?

LEG. LOSQUADRO:

On the motion?

P.O. LINDSAY:

Yes, Legislator Losquadro.

LEG. LOSQUADRO:

So in reading that, is that •• I mean, the money the County is only responsible for \$20,000?

LEG. STERN:

Ultimately, that's right.

LEG. LOSQUADRO:

We just need to put the full 100,000 in to make us eligible for the aid.

LEG. STERN:

That's right.

LEG. LOSQUADRO:

All right. Was there a reason we didn't put this in to the Omnibus, Mr. Chair?

P.O. LINDSAY:

Truthfully, I thought we did include it in the Omnibus.

LEG. LOSQUADRO:

I thought we did also. Budget Review, this was not part of Omnibus?

MS. VIZZINI:

That was not the direction that we understood.

LEG. LOSQUADRO:

All right, I remember discussing this, but. All right, thank you.

LEG. ALDEN:

On the motion?

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

We did hear from DPW on this, they came down, this was one of the things that they did address in the Omnibus.

P.O. LINDSAY:

It sounds like a little confusion, I thought we added it.

LEG. ALDEN:

Okay.

LEG. MONTANO:

And I thought we added it, too.

LEG. CARACAPPA:

On the motion, Mr. Chairman?

P.O. LINDSAY:

Yes, Legislator Caracappa.

LEG. CARACAPPA:

The bridge that's in question, that's the one south of the expressway, the old bridle path or it's being used as a bridle path now?

LEG. STERN:

That's right, it's the pedestrian foot bridge in the heart of the Edgewood Preserve.

LEG. CARACAPPA:

Not a bridle path, but a bicycle, a bicycle group uses it.

LEG. HORSLEY:

A lot of good people.

LEG. STERN:

Yeah.

P.O. LINDSAY:

Okay, call the roll, please.

(* Roll Called by Mr. Laube • Clerk *)

LEG. STERN:

Yes.

LEG. COOPER:

Yes.

LEG. ROMAINE:

Pass.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

Yep.

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. D'AMARO:

Yes.

D.P.O. VILORIA • FISHER:

No. Yes, I'm sorry.

P.O. LINDSAY:

Yes.

LEG. ROMAINE:

Yes.

MR. LAUBE:

18.

P.O. LINDSAY:

20, project 5639, study for providing Sunday bus service for Suffolk County, adds \$50,000 for planning in '07 for DPW, Transportation to develop a planned program to provide Sunday bus service in Suffolk County. Legislator Schneiderman?

LEG. SCHNEIDERMAN:

We all know that Sunday bus service is needed. We have a tremendous amount of people who work on the weekends who need to get to work, just like they do on any other day, as well as other people who go shopping and would use the County bus. I think it's desperately needed and this would just provide some planning money to develop a program and I urge you to support it. I'll make a motion.

LEG. CARACAPPA:

On the motion.

P.O. LINDSAY:

Do I need a second? I need a second.

LEG. CARACAPPA:

I'll second it. On the motion.

P.O. LINDSAY:

Second by Legislator Caracappa.

LEG. CARACAPPA:

I was just telling my colleagues here, the very first bill I ever introduced in this Legislature in early '95 was to do a study on Sunday bus service. Back

eleven years ago it came back that it wasn't feasible; though the ridership might be there, it just wasn't affordable based on a limited ridership but enough to warrant Sunday service. Times have changed, Ladies and Gentlemen, as we know over the last seven years, dramatically as it relates to public transportation and now public bus service. It's time we venture into Sunday service, it's much needed and would do a great service to this County and its residents.

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

I just have a question, through the Chair, of Budget Review. Didn't we just fund that Transportation Council ••

LEG. LOSQUADRO:

Advisory Board.

MS. VIZZINI:

That's an advocacy group for handicapped individuals, if that's what you're referring to.

LEG. ALDEN:

But aren't they picking up on the New York State or the Federal Study of traffic patterns and transportation in Suffolk County?

MS. VIZZINI:

I can't comment on that, I don't know.

LEG. ALDEN:

Because I agree with Legislator Caracappa that it's about time. In my district, or my former district, there's a huge need for Sunday transportation, but I don't want to see a duplication of funding. And if we've got a council and we can pick up on the New York State study, if they've done the work already then it's just a matter of implementing some suggestions that come out of that.

LEG. SCHNEIDERMAN:

Again, as has been stated by Legislator Caracappa earlier, the Capital Budget is a planning document and this would make the funds available should we authorize them next year. If you don't need to do it you don't do it, but this would make the funds available should we need them.

P.O. LINDSAY:

Legislator Romaine.

LEG. ALDEN:

It's too abstract.

LEG. ROMAINE:

Legislator Schneiderman and I both concur, I want to congratulate him on bringing this initiative forward. Sunday bus service is becoming more and more necessary to the constituents of the east end. We have a very high senior population, we have a very high transient population, many of them depend on public bus service. It is amazing, in a County of 1.6 million, we're not 1.4 but 1.6 million people, that we're not having •• and I come from the least populated and the need there is great; look at S•92, just look at that route. What about the guys on the west end? I mean, I've got to think that Sunday bus service is something that, as our former Presiding Officer said, a desperate need in this County that has grown and grown and grown. This is a \$50,000 study to take a look at it. We're not saying it's going to happen, we're going to take a look at it and then talk about the cost, the pluses, the minuses and will be before us with a document that we can consider and make an intelligent decision on. I favor this.

P.O. LINDSAY:

Anyone else? Would the Clerk call the roll?

(*Roll Called by Mr. Laube • Clerk*)

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACAPPA:

Yes.

LEG. ROMAINE:

Yes.

LEG. BROWNING:

No.

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

No.

LEG. MONTANO:

No.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

No.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

No.

LEG. HORSLEY:

No.

LEG. MYSTAL:

No.

LEG. STERN:

No.

LEG. D'AMARO:

No.

LEG. COOPER:

No.

D.P.O. VILORIA • FISHER:

Yes.

P.O. LINDSAY:

No.

MR. LAUBE:

Seven.

P.O. LINDSAY:

Budget Amendment 23, Project No. 7175, improvements to Raynor Beach County Park, advances \$500,000 for construction and 50,000 for planning from 2008 to '07 for the following improvements to Raynor Beach Park; parking improvements, reconstruction of west entrance, rehabilitation of basketball and handball courts, installation of additional fencing and installation of new bleachers.

Do I have a motion?

LEG. KENNEDY:

Mr. Chair, I'll make a motion to approve.

LEG. ALDEN:

Second.

LEG. KENNEDY:

If I can speak on the motion for a moment?

P.O. LINDSAY:

Okay, there's a motion and a second. I recognize Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. This is a list that actually was brought forward by the Parks Department. As you well know, the Raynor Park rehabilitation has finally come to fruition, on Memorial Day they had their first ceremony there that they have been able to have I believe it's in three years. The Parks Department, with the second contractor, has done an excellent job, there were just a couple of items that were not included I guess in the initial project as it was scoped and put out there.

One of the items on the list that DPW brought •• I'm sorry, that Parks brought forward was sidewalks and by separate reso I've looked to amend the '06. But the park is in usable form, these certainly would be items that would just help to enhance its, you know, ability for all the citizens there.

P.O. LINDSAY:

Okay. Anybody else want to comment? Mr. Clerk, call the roll.

(*Roll Called by Mr. Laube • Clerk*)

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

No.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

No.

LEG. MONTANO:

No.

LEG. BARRAGA:

No.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

No.

LEG. MYSTAL:

No.

LEG. STERN:

No.

LEG. D'AMARO:

No.

LEG. COOPER:

No.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Seven.

P.O. LINDSAY:

Budget Amendment 24, historic restoration and preservation funds, add \$50,000 for planning in '07 for the Parks Department to conduct an inventory and analysis of the status and physical condition of the department's historic buildings. Do I have a motion?

LEG. SCHNEIDERMAN:

Yeah. I've been advocating for this worthy measure for some time. The County owns hundreds of buildings, many of them are important historic structures and we need to get a handle on what they need in terms of repairs and when they need them so we can stay on top of it. This is •• would provide funding to bring in somebody to do that type of analysis, to aid our Parks Department and prioritizing the repairs of these buildings. I think it's long overdue.

P.O. LINDSAY:

Motion •• so you made the motion. Do I have a second?

LEG. ROMAINE:

Second.

P.O. LINDSAY:

Second by Legislator Romaine, and I recognize Legislator Romaine.

LEG. ROMAINE:

Very briefly, Mr. Presiding Officer. Many of the historic structures that this County owns are in a state of disrepair, are falling apart. People question why the County would even take these historic structures into their inventory if they weren't going to maintain them. And I would hate to see historic structures fall apart under our stewardship. I think this is a planning document that would allow \$50,000 for us to take a look at the various historic structures and make a determination, which ones are in most eminent danger of collapse or deterioration and that is something I think

would benefit all of us in Suffolk County. Thank you.

P.O. LINDSAY:

Anyone else? Mr. Clerk, could you please call the roll.

(*Roll Called by Mr. Laube • Clerk*)

LEG. SCHNEIDERMAN:

Yes.

LEG. ROMAINE:

Yes.

LEG. BROWNING:

No.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

No.

LEG. MONTANO:

No.

LEG. ALDEN:

No.

LEG. BARRAGA:

No.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

No.

LEG. HORSLEY:

No.

LEG. MYSTAL:

No.

LEG. STERN:

No.

LEG. D'AMARO:

No.

LEG. COOPER:

No.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Five.

P.O. LINDSAY:

Budget Amendment 26, Project No. 8144, improvements/expansion to Sewer District No. 6, Kings Park. It's \$2 million in Sewer District bonds for planning in '07 for the expansion of the Kings Park Sewer District.

LEG. KENNEDY:

I'll make a motion to approve, Mr. Chair.

P.O. LINDSAY:

I have a motion. Is there a second?

LEG. NOWICK:

Second.

P.O. LINDSAY:

Second by Legislator Nowick.

LEG. ALDEN:

On the motion?

P.O. LINDSAY:

On the motion, Legislator Alden.

LEG. ALDEN:

If this fails and the other resolution is split off, our Sewer District construction projects is passed, can this be brought up again in the next year? It wouldn't have to go through the whole Capital Budget process, then, right?

MS. VIZZINI:

Theoretically, yes.

LEG. ALDEN:

Okay.

LEG. KENNEDY:

Again, I guess, speaking in support of the motion, as a matter of fact, I believe on our general agenda today we have 300,000 for planning funding to go ahead and look at the expansion of the Kings Park Sewer District for the purpose of sewerage from Main Street in Smithtown and Kings Park.

We speak on a constant basis about trying to promote affordable housing and for diversity for commercial districts. We're hopeful that the resolution will pass later on today and that this would be a natural progression or succession to ultimately allow for that downtown connection.

LEG. CARACAPPA:

Mr. Chairman?

P.O. LINDSAY:

Yes.

LEG. CARACAPPA:

Just quickly. Have there been public hearings held on this expansion yet, or is that something that will take part if the planning funds are approved in the future? Because obviously it's subject to ••

LEG. KENNEDY:

Right, this would be a prelude.

LEG. CARACAPPA:

•• local public hearings and then Sewer Agency will begin hearings ••

LEG. KENNEDY:

Absolutely, the whole nine yards.

LEG. CARACAPPA:

•• and then public hearings here. Okay.

LEG. KENNEDY:

Absolutely.

P.O. LINDSAY:

Okay, we have a motion and a second. Any other comments? Please call the roll, Mr. Clerk?

(* Roll Called by Mr. Laube • Clerk *)

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

No.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

No.

LEG. MONTANO:

No.

LEG. ALDEN:

No.

LEG. BARRAGA:

No.

LEG. HORSLEY:

No.

LEG. MYSTAL:

No.

LEG. STERN:

No.

LEG. D'AMARO:

No.

LEG. COOPER:

No.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Six.

P.O. LINDSAY:

Okay, the last ***Budget Amendment No. 27, Project 8710, Water Quality Protection, Nissequogue Tributary Headwaters, north from CR 76, Townline Road to Millers Pond, Smithtown. Adds a total of \$500,000 in Water Quality funds in '07, 200,000 for planning to update the 26 year old study that was funded through Capital Project 5013 and evaluated the elevated groundwater table and chronic flooding occurring along the Nissequogue Tributary Headwaters, Lake Ronkonkoma, Old Nichol's Road corridor and surrounding areas and \$300,000 for construction to implement flood control and stormwater remediation is recommended by the updated study. The title of Capital Project is changed to reflect its scope.*** Do I have a motion?

LEG. KENNEDY:

Mr. Chairman, I'll make a motion to approve.

LEG. NOWICK:

I'll second it.

P.O. LINDSAY:

Second by Legislator Nowick. On the issue; Legislator Kennedy, you want to speak?

LEG. KENNEDY:

Absolutely positively, Mr. Chairman. First of all, to all my colleagues, I'd like to say that obviously what you've been able to hear over the past couple of committee meetings and the General Meeting today is that many, many, many citizens are impacted in the 12th Legislative District by a phenomenon that's associated with I guess rain and God only knows what else. But the groundwater table is at its highest level in USGS test wells along Terry Road that has been since 1974, and this is confirmed through our Health Department.

Earlier today you heard much testimony about IR 1593, that is a resolution which I'm working with the administration on and I'm looking for and have gotten a commitment of support from the town in order to address one small waterway that's impacting many homes, many of the people that were here. Nevertheless, there are many other water bodies in the Legislative District that are above historical levels, not the least of which is Lake Ronkonkoma which has actually overflowed its boundaries and now covers the southern portion of the County park parking lot.

Citizens in the Lake Ronkonkoma area •• as a matter of fact, Mr. Chair, I think you're familiar with some of this area •• where Charles and Kaplan Court are, are now at the point where their basements are flooded, many areas •• they are unlivable, they have ponding in their backyards and it's an issue that appears to be a geological, cyclical issue. And hence, my attempt to go ahead and update what was a tremendous amount of work that was done some 26 years ago in Capital Project 5013 by H2M. Unfortunately there were a host of recommendations that were made in that report, none of which were ever implemented. There was a fairly large•scale project that was proposed to actually forcefully pump and attempt to lower the level of Lake Ronkonkoma. The science was good, the recommendations, I don't know whether or not they are still relevant some quarter century later.

So in an effort to try and go ahead and bring the science and the evaluation contemporaneous and move some funding towards implementation and provide some help to these folks, throughout the large segments that are impacted by the Legislative District, I offer this resolution. It would be revenue neutral in that I seek to have it funded through 477 funding. So I make no request to go ahead and expand what has already been a well •honed Capital budget with its budget amendments. Nevertheless, I ask for my colleagues support on this measure. Thank you.

D.P.O. VILORIA • FISHER:

What is H2M? I don't know what that is.

LEG. NOWICK:

Bill?

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

The reference was made by Legislator Kennedy to a study that was done in 1980. And after reading some of it, and I didn't get a chance to read all of it because it's like a huge, two volumes, a lot of that deals with the problem and it was done very, very scientifically, but I'm not so sure about the overview as far as whose responsibility that is to lower water table and some of the things that they said could be done and should be done.

I haven't really made up my mind yet as far as supporting this, but there's a policy issue that has to be decided and that's whether we want to take on the job of lowering a water table throughout the Town of Smithtown and running down into the Town of Islip. And a lot of that problem, like you just alluded to, is cyclical, but there's also •• you know, there's some things we can do and maybe are our responsibility like cleaning out some of the waterways, similar to dredging projects, but there's a lot of that in there that was pretty heavy duty as far as a policy decision to take on a job.

Because most of that, if you took it on, you're committed to probably tens of millions, if not hundreds of millions of dollars worth of work to lower our water table. And even the job over at Lake Ronkonkoma, to lower that, you're talking about tens of millions of dollars, and that was back, you know, twenty something years ago, 25 years ago when they did the study.

So this I hope •• and through the Chair, I'm addressing the sponsor •• this is mainly addressing the problems that Suffolk County would normally be required to take care of and that's the silt build•up and things of that nature. I'll support this end of it, but I can't make a bigger commitment to lowering the water table on a good chunk of Smithtown and Islip.

LEG. KENNEDY:

Mr. Chair, may I respond?

P.O. LINDSAY:

Legislator Nowick is ••

LEG. NOWICK:

You want to respond?

P.O. LINDSAY:

Go ahead.

LEG. KENNEDY:

First of all, I appreciate the support that you expressed and I appreciate the fact that you've had an opportunity to read two of the three volumes that were associated with the study. I agree with you 110%, that it is a question that may go far beyond the resources of this County to ultimately attempt to go ahead and lower or impact in any particular way the groundwater level throughout thousands and thousands of acres.

Nevertheless, as you and I know, it may be something where we need to be able to appeal to both our partners at the State level and the Federal level. And my concern is is that to let what was a significant expenditure and a tremendous amount of time invested in looking at this problem some quarter century ago, continue to go by the wayside without us attempting to

move forward is only going to perpetuate what we continue to hear from citizens meeting after meeting after meeting. This does not seem to be something that's going away with a break in the rain or with a change in the season. The issues seem to have first presented themselves in late fall and have only been exacerbated going forward, to the point where, as I said, over in the Lake Ronkonkoma area people are now considering having to abandon their basements or abandon their homes.

My reason for coming forward with this is in order to go ahead and be able to engage the professionals that we have at our disposal to make the recommendations, that would be prudent for us to consider. I am not a hydrologist, nor an engineer, nor anything else, as folks around this horseshoe know, just a simple dirt lawyer. But it was good science then which seems to have given us a good platform and opportunity to go forward from, that's my reason to go ahead and seek to elicit the funding.

P.O. LINDSAY:

Legislator Nowick, you want to speak?

LEG. NOWICK:

Just quickly, I want to say, look, if not us, who? Where do we start? I understand that it's a lot of money, I understand that it seems to me we're not supporting standalones, but folks, you really need to examine your conscience here. You really need to picture yourself like some of those people that we saw today. You picture those pumps going day and night in your house and you picture your children playing in the dirty water.

We are elected to protect our public, we have to, we must. We need to start somewhere and if this is a beginning, I for one will support it. Just examine your conscience here. Money is very important, we need to balance the budget, we all know that, but right now quality of life is the most important thing, health and quality of life. So I'm supporting this.

P.O. LINDSAY:

Before I recognize Legislator Alden, I just have a couple of comments. First of all, I absolutely sympathize with the people who were in the audience today and the other day. My question is, you know, responsibility; I don't ••

I have some of the same fears Legislator Alden has about what we bite off, and especially if we do it unilaterally without, you know, either state, certainly town, it's town roads, what we're hearing in testimony today is that the town is denying any responsibility which is really disturbing to me. If we start here, where does it go from here? I mean, last week when all those people were here, it was pouring rain in committee meetings, that same night I was in a subdivision in Islip which is a long ways from the water, but people's basements, you know, the same types of problems, two sump pumps operating 24/7; the one guy's house we were in, he had to put in an emergency generator in order to go on vacation because if the power goes out he would lose his whole house. Of course, they blame it on over population and the town approving a new subdivision on higher ground above them, but •• I hear you, I hear it's a major problem, I just would feel more comfortable if we had a systematic way of looking at it.

And my question to Budget Review is Legislator Kennedy is proposing we use 477 money to fund this. Number one, do we have enough money in the 477 account? And number two, is that something that belongs in the Capital Budget or can't we do that any time during the year?

MS. VIZZINI:

It's really •• I think it's an appropriate project to do through the Capital Program because this is going to take time. Yes, there is an adequate fund balance in the Water Quality Program, I think there's about \$4 million in the fund balance.

P.O. LINDSAY:

Okay, that's the first part. The second part is if you're using 477 money, it doesn't necessarily have to be in the Capital Budget.

MS. VIZZINI:

Correct, but it would have to be •• it would have to be transferred to the Operating Budget.

P.O. LINDSAY:

Okay. All right, Legislator Alden, you're on the list.

LEG. ALDEN:

Okay. Yeah, just I wanted to point out •• it was a good point that you raise about the 477 account, because in the past I felt to be overly protective of it. I feel this does qualify for 477 money.

I want to point out a couple of things on the H2M study. H2M actually said that most of those houses shouldn't have been built in the first place. So, you know, this is a bigger problem than even what a lot of the people came down to explain to us. And, you know, last week in the Parks Committee, when I had to go home and take off my shoes and socks and go down into my basement where there's four inches of water and two or three months ago there was three feet of water in my basement, this is a problem chronically we're going to have all over Suffolk County and it's a systemic problem that's cyclical.

And again, just like hurricanes coming dumping a lot of water, we're getting a lot of water dumped on us recently, as we did a couple of months ago, so that's a problem.

I will support this because in looking at it, it looks like it's a narrow scope and it's been scoped just to what would probably be our responsibility anyway. The second part of it, to update the H2M Study, it probably is time to do that, but just so everybody knows, if we approve this, that H2M study, whoever ends up updating it, that could point the finger at a whole bunch of people, mainly the town and go back historically and say that those houses don't belong there. Now, there's a huge problem as far as maintenance and who's going to be responsible for that. If Suffolk County is going to take on the responsibility to make sure these people's houses and cellars are dry and their backyards are dry, you were talking •• H2M was talking about, you know, like I said, a \$100 million project 25 years ago.

So I'll support this limited scope that does look at the problem and then we definitely have some policy issues to decide.

P.O. LINDSAY:

Legislator Fisher.

D.P.O. VILORIA • FISHER:

Thank you, Mr. Chair. I have a few points regarding this issue. As you know, Legislator Kennedy, my heart really does go out to these people. And by the way, I've been having to pump out my basement for the past couple of years because there were houses built up hill from me. And since they were built •• just as the people at the Parks Committee testified, two years ago some people started to have flooding problems because there was a development built up hill from them, and so it is a problem with townships giving permits to build in inappropriate places, giving permits to build where the water table is not conducive or appropriate for building. So that's a problem with the town.

But the points I wanted to bring up were that there is a resolution that was tabled in the Environment Committee because we're going to be •• it's going to be before CEQ tomorrow and I believe that that sum of money for the removal of silt was about \$250,000.

LEG. KENNEDY:

Three fifty.

D.P.O. VILORIA • FISHER:

Three hundred fifty thousand dollars; okay, but that particular resolution I think was for 250,000. There is a partnership that you've spoken about, Legislator Kennedy, with the Town of Smithtown for \$100,000. There's also been work done by the Park's Department, and I'm not quite sure about these boards that are being removed, I suppose it's some kind of damming at Miller's Pond.

My point here is that we have begun the process, we have begun to invest money in addressing the problem. I believe since we can access the 477 monies during the year, as the Presiding Officer has mentioned, I believe we should be further into what we anticipate the project •• I think the project needs to be framed before we move forward and allocate more money. Having the resolution that's in the Environment Committee and that silt removal plan, the Park's Department plan, the town plan, and then looking forward to see what else needs to be done for remediation, I believe when we have some kind of plan and process in mind, then we should look back at

funding and transfer money from the 477 account, as we find the use for it.

I don't think that we should jump the gun this way, put in \$500,000 where we really are walking blindly into the problem. We have some money set aside and some of the projects are in place.

P.O. LINDSAY:

Legislator Cooper.

LEG. COOPER:

I wanted to expand upon something that I think that Legislator Alden had said. I have a few concerns about this resolution, but I guess the primary one being that I believe that there's a good likelihood that the town was complicit in creating this problem by granting building permits in areas where homes probably should not have been constructed. And as a result, first of all, I think it's primarily town responsibility, not County, but I'm mostly concerned that it would set a really dangerous precedent and if we approve this we're going to get requests from towns throughout Suffolk County that are experiencing similar problems, likewise looking for relief, and it's going to become a very, very expensive proposition. And you know, it's sort of •• it's similar to people that build homes and flood plains or tornado alley where, you know, they know that there's a good likelihood that it's going to come back and bite them, but they build the homes there anyway. This is a problem, apparently in this area, that goes back 20, 30 years, and so it shouldn't be a great surprise to people that built their homes more recently that there could be a problem.

So once again, I think it's really the town that was the primary cause of the problem and, therefore, it should be the town that should be the primary solution.

P.O. LINDSAY:

John?

LEG. KENNEDY:

Thank you, Mr. Chair. I appreciate my colleagues' comments and the day is long and we still have a full agenda to go through. I personally invested

many, many hours in this and I can go ahead and debate each one of the items that are raised.

First, I will say that perhaps it is somewhat questionable as far as some of the building permits that are issued by the Town of Smithtown.

Nevertheless, when you read the H2M report, much of this area going back 50 and 60 years ago was all farmland and did, on occasion, have issues as far as high water table, but there was more than ample ground cover to absorb the rainfall and there were not flooding issues.

I don't think that anybody who presented to us today came here because they expected that it was the town that was negligent but the County that would be being beneficent or the County being over committal; I think they were coming here because they were expressing frustration and the need for help. I've gotten a commitment from the Supervisor from the Town of Smithtown for 100,000 hard money. And as I've sat here for 20 months and heard many different things about the Town of Smithtown, I've also heard that the Supervisor from the Town of Smithtown doesn't spend money on anything. So it's got nothing much to do with me but another level of government that's hearing, I think, the temerity and the vocalness of the citizens issues.

Another point to look at, and in all deference to Legislator Vilorio•Fisher, the Resolution 1593 that deals with the north tributary is one of small water way that covers the much larger area that Capital Project 5013 looked at. There will be no planning money to go ahead and try to provide a remedy for the lake, nor any planning money for the flooding that goes on along Gibbs Pond or Old Nichols Road, nor any planning money that's associated with the other elevated water table areas that are prevalent throughout the town at this point.

So obviously we don't want to spend money imprudently and without a planning expenditure in place, but 1593 will deal only with the Nissequogue River North Tributary. This resolution would update what was a broader, more comprehensive plan advanced a full 25 years ago. Ultimately, I don't think we are embracing or taking a commitment to cure Suffolk County's elevated water table issues or not, I think what we're doing is we're

addressing what's before us in many areas and it may prove to be a model to help try and remedy other elevated water tables.

I know there's a significant effort going on right now with Forge River. And so I think what I'm asking my colleagues to entertain is a similar kind of willingness or decision to go forward in this area.

P.O. LINDSAY:

Legislator Barraga.

LEG. BARRAGA:

Certainly when I listened this morning I have a great deal of empathy for these people who live over in Smithtown. But I am also concerned about a situation developing where it's a major problem that there will never be enough financial resources to cure. It isn't a question of blame, it's a question of where do you get the hundreds of millions of dollars necessary •
• does it come from the Federal government, the State, the localities, the towns •• to correct the problem? If I blinked I could have 150 people from Islip or 150 people from Babylon who only a few months ago were inundating my phones in my district office because of rains that happened seven or eight days in a row, all sorts of flooding and back•ups with the Southwest Sewer District.

You know, certainly I can see spending a half a million dollars, but beyond that I have concerns about where does the funding come from? You want to correct the problem in Smithtown, what do you do in Babylon? What do you do in Islip? What do you do on the east end?

Do you put the County in harm's way of never, never being able to really deal with this issue? Sometimes an issue is so overwhelming financially that you've got to go very, very slow. It seems to me that if you want to pursue anything, it should be cooperation at all levels of government to see if any sort of total funding might be available to deal with this problem. And even if it is, I think you'd have a very, very challenging time to come up to a favorable solution.

P.O. LINDSAY:

Mr. Clerk, would you call the roll.

MR. LAUBE:

Yes, sir.

*(*Roll Called by Mr. Laube • Clerk*)*

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

No.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

No.

LEG. MONTANO:

No.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

No.

LEG. HORSLEY:

No.

LEG. MYSTAL:

No.

LEG. STERN:

No.

LEG. D'AMARO:

No.

LEG. COOPER:

No.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Seven.

[RETURN OF REGULAR STENOGRAPHER • DIANA KRAUS]

P.O. LINDSAY:

Okay, let's see how fast we can get through this agenda. Ladies, you're using a lot of paper today, you know? Our paper budget is just about shot.

The consent calendar, do I have a motion?

LEG. VILORIA • FISHER:

Motion.

P.O. LINDSAY:

Motion by Legislator Vilorio•Fisher. Do I have a second?

LEG. MYSTAL:

Second.

P.O. LINDSAY:

Second by Legislator Mystal. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

Resolutions Tabled to June 13th:

2022 • Making a SEQRA determination in connection with the proposed Francis S. Gabreski Airport Redevelopment of Long Island Jet Center East Incorporated, Town of Smithtown. Excuse me.

Southampton. I moved Gabreski to Smithtown. I got Smithtown on my head. Okay. Do I have a motion to •• someone in the administration, is this ready to move forward?

MR. SABATINO:

Yes, Mr. Chairman, it's been ready for two cycles. It's been tabled the last two times for a variety of reasons but it's ready to go if the Legislature is willing to approve it.

P.O. LINDSAY:

Making a SEQRA in connection with proposed airport redevelopment.

LEG. SCHNEIDERMAN:

Can I ask this was supposed to go to CEQ. Did it go back? And was there a recommendation?

MR. NOLAN:

It went back. They have not acted on it since it was sent back to them.

LEG. SCHNEIDERMAN:

Motion to table.

LEG. ROMAINE:

Second.

P.O. LINDSAY:

Motion to table and a second. All in favor? Opposed? Abstentions? .

MR. LAUBE:

18.

P.O. LINDSAY:

Okay. **1157, to promote fuel efficiency by requiring the purchase of hybrid vehicles for legislative use.**

LEG. COOPER:

Motion to table.

D.P.O. VILORIA•FISHER:

Second.

P.O. LINDSAY:

Motion to table by Legislator Cooper, second by Legislator Viloría•Fisher. All in favor? Opposed? Abstentions?

1165, authorizing planning steps for the acquisition of One Tower Street property, Huntington Station, Town of Huntington under the Multifaceted Land Preservation Program.

LEG. COOPER:

Motion to table.

P.O. LINDSAY:

Motion to table by Legislator Cooper. I'll second that. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

Okay. We have 1240 A. It's a bonding resolution appropriating funds in connection with the Rocky Point Tower site. Legislator Losquadro?

LEG. LOSQUADRO:

Motion to approve.

LEG. ROMAINE:

Second.

P.O. LINDSAY:

Motion to approve, second by Legislator Romaine. Roll call.

(Roll Called by Mr. Laube • Clerk *).*

LEG. LOSQUADRO:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

Yes.

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

D.P.O. VILORIA • FISHER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

18.

P.O. LINDSAY:

1240, same motion, same second, same vote.

1343, review of auction rules for the disposition of surplus property acquired under the Suffolk County Tax Act. Do I have a motion?

LEG. HORSLEY:

Motion to approve.

LEG. COOPER:

Second.

P.O. LINDSAY:

Motion to approve and second. Motion by Legislator Horsley and
Second by Legislator Cooper.

LEG. ALDEN:

On the motion.

P.O. LINDSAY:

On the motion Legislator Alden.

LEG. ALDEN:

Brief explanation.

MR. NOLAN:

The folks at Real Estate have circulated a new version of the rules that have the brackets and the underlines which you the changes. The changes are minimal. Most of it has to do with correcting the name from Division of Real Estate to Division of Real Property Acquisition and Management in line with the recent charter revision. The only other change would be rule 37 which has to do with title insurance. Basically the language used to say that when

the County delivers a bargain and sale deed that we would attempt to deliver such title as the title company licensed in the state of New York would ensure. Now it says we may but are not obligated to do that. And that is the only substantial change that I can see.

LEG. ALDEN:

There's nothing it there about exclusion and establishing a process of excluding buyers?

MR. NOLAN:

I basically looked at the changes. These are the same rules as last year.

P.O. LINDSAY:

I'm not going to touch that. Any other comments? Okay. We have a motion to approve and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1393, adopting a local law to amend the membership of the Hispanic Advisory Board.

LEG. ROMAINE:

Motion to table.

P.O. LINDSAY:

Motion to table by Legislator Montano, seconded by Legislator Vilorio •Fisher. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1413, establishing a Commission to evaluate school district expenses and efficiency.

LEG. D'AMARO:

Motion to approve.

P.O. LINDSAY:

Legislator D'Amaro makes a motion, second by Legislator Eddington. On the motion, Legislator Alden.

LEG. ALDEN:

Just a brief explanation. I'm just concerned that this is something that really doesn't concern us school district expenses, efficiencies and things of that nature. But if it's a non-binding commission or •• I guess I'd like an explanation.

LEG. D'AMARO:

Again, Mr. Chairman, if I could respond as the sponsor bill •• yes, it is a commission being set up similar to the Presiding Officer's Commission and also sponsored by Legislator Nowick that is going to •• that was examining the revenue side of how we fund our schools. And this commission's going to look at the expense side to see if we can work along with the school boards and make some comprehensive recommendations and gain some consensus on some cost saving measures.

P.O. LINDSAY:

It isn't binding on anybody.

LEG. ALDEN:

Okay. Then through the Chair, then, with the knowledge though that we have basically nothing to do with this, we're still going to go out and ••

LEG. D'AMARO:

Yeah, well, I beg to disagree •• you know, to differ with you on that. I think that we all have an obligation to address the high cost of living on Long Island. And I think that property taxes and especially school taxes contribute to the high cost of living. And I for one feel that we do have a responsibility and an obligation to address that.

LEG. ALDEN:

So this is founded in the constitution and bylaws of Suffolk County and the Charter of Suffolk County. When you do get recommendations, you'll be able to enact legislation that will affect anything you find in here.

LEG. D'AMARO:

I'm not following you.

LEG. ALDEN:

You just said that we have the responsibility to look at school district ••

LEG. D'AMARO:

Yeah, I believe as an elected official I have the responsibility. I'm not necessarily saying ••

LEG. ALDEN:

And that's in the Charter of Suffolk County ••

LEG. D'AMARO:

I don't •• I'm not completely versed on what's in the Charter of Suffolk County.

LEG. ALDEN:

Well, you made a statement that we have the responsibility. I'm a Suffolk County Legislator. The last time I looked I didn't know about that responsibility for school district taxes and school district expenditures ••

LEG. D'AMARO:

Right. But I didn't say we have. I said I feel that I have the responsibility as an elected official to address the high cost of living on Long Island. And I think this is one way of doing it. I never mentioned the Suffolk County Charter.

LEG. ALDEN:

No. I did because of your statement I mentioned the Suffolk County Charter.

LEG. D'AMARO:

Okay.

LEG. ALDEN:

So just to ••

P.O. LINDSAY:

Legislator Nowick. Oh, I'm sorry. Are you done?

LEG. ALDEN:

I'll wait if somebody else wants to go and talk but I have a couple ••

P.O. LINDSAY:

Go ahead. Finish I thought you were done.

LEG. ALDEN:

No, no. I'm just •• I'm very concerned and very worried about us stepping into something that New York State •• it's a clear New York State responsibility. And the results or any suggestions that come out of this committee, and it is committee, right? Commission. Will come to us and then for us to even act on it, we've got to do, oh, a Sense resolution or a sense of the Legislature. We've got to pass some kind of resolution that would establish a sense •• a sense of the Legislature.

P.O. LINDSAY:

Correct me if I'm wrong, but I think what this commission will do will a report that they'll send to the state and to the school boards associations.

LEG. ALDEN:

As a sense of the Legislature.

P.O. LINDSAY:

Not necessarily; just a report from the commission.

LEG. D'AMARO:

No. In fact, it's not •• it's a report that will be given to the Legislature but not approved by the Legislature. This is a commission that's going to issue

its own report and make recommendations for cost saving measures, some of which will probably be •• can be instituted administratively in school districts; some of which may need state legislation.

LEG. ALDEN:

And we know how to do this better than New York State or ••

LEG. D'AMARO:

Well, if you read the bill and look at the commission members I think the answer is clearly yes. I think we have the right expertise on this commission to really have •• you know, make an impact and try and start to address the high cost of our schools; yeah, I do.

P.O. LINDSAY:

Okay. Someone else wanted to talk. Legislator Nowick.

LEG. NOWICK:

Since I'm going to be supporting this commission, I just want to explain why I feel it's a good idea. And you're right, Legislator Alden, we have do not have any jurisdiction but that doesn't ever bother us any way. I think what it does is it brings a group of people together all that have their own little expertise. Although we don't have the jurisdiction, we have the obligation, I feel, to bring this to the forefront. There are major problems as far as school property taxes. We're •• it's overwhelming for most people. We had •• in our commission we had a public hearing and we had an outcry of people that were concerned about expenditures and revenue and how can it be fixed? And although we couldn't do anything, people needed to be heard.

And right now maybe the state isn't doing anything about it. Maybe we're not talking loud enough. Maybe they're not listening to us. Maybe we're not being heard. So it's not costing us money. We're not putting aside money for this. We're simply doing our due diligence, I believe, because I am supporting it. Bring it to the forefront. Bring it out there. Maybe intimidate a few people. Maybe it'll work. Maybe it won't. Doesn't cost you anything. It's going to cost Legislator D'Amaro some time. And it is a timely •• believe me, we've been sitting on our commission for a while so good luck.

LEG. ALDEN:

Government by intimidation seems to be the rule of the day, I guess.

P.O. LINDSAY:

Legislator Eddington, you want to add something?

LEG. EDDINGTON:

Well, I just wanted to say, and I'm not going to publicly criticize the state because I'll pay for that later, but I would like to see •• I like the idea of people that live on Long Island working on a Long Island problem because what I constantly hear is that the state doesn't realize what Long Island's about. And I like the group of people that you're putting together. And I understand it's a recommendation. Because when I walk around people keep asking me what about the school taxes. And they don't want to hear I don't do anything with that. So I like at least •• I'll be able to say we are working on a problem, and it'll be purely recommendations. We're doing something. And I for one applaud you. So thank you.

LEG. D'AMARO,

Mr. Chairman, if I could respond also, the •• you know, this is going off in the wrong direction. It's not about being critical of any other level of government. It's about this body putting together a team of experts who are going to build consensus on practical cost saving measures. And, you know, frankly if we can do that, then we are directly going to impact one of the aspects or one of the factors in the high cost of living here on Long Island. And I think •• and I'll state it again, regardless of what the County Charter may say, I feel a sense of obligation, as Legislator Nowick has also mentioned, that we need to address that issue and we need to do something. And think this is a consensus building way to do it without pointing a finger, without playing the blame game, but rather saying let's get all the experts in a room, not to have a shouting match or a finger pointing session, but to come up with some real practical ways that we can contribute and start to impact our school property tax.

P.O. LINDSAY:

Legislator Vilorio•Fisher.

D.P.O. VILORIA • FISHER:

I just have two brief comments. And one of them is related to what Legislator D'Amaro said regarding what he sees as his personal responsibility as a Legislator. Very often as Legislators we see our role as facilitators where we bring people together for consensus to see if they could achieve a response to a problem. So there's that one piece of it.

The second is that the County has made a commitment to affordable housing, workforce housing, next generation housing, whatever we want to call it. We've made an investment in time. We've made an investment in money. However, when I've spoken with young people and talked to them about programs that would help them to become first time homeowners, they have turned around and said to me that with the taxes being what they are, even if they were able to get the kinds of breaks they need to be a homeowner, they wouldn't be able to afford the homes because of the taxes. And so it is our purview. It is our responsibility to help to solve the problem. Not to legislate, not because it's in the Charter, not because it's been codified but because I think that that's the kind of covenant we have with the people of Suffolk County.

P.O. LINDSAY:

Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

LEG. ALDEN:

Oppose.

P.O. LINDSAY:

We have one opposition. Any others? Call the vote.

LEG. ALDEN:

You want a roll call?

P.O. LINDSAY:

No.

LEG. ALDEN:

I didn't ask for a roll call. I just said no. That's all.

MR. LAUBE:

17.

LEG. ALDEN:

Mr. Presiding Officer?

P.O. LINDSAY:

Yes.

LEG. ALDEN:

Can I make an observation?

P.O. LINDSAY:

Sure.

LEG. ALDEN:

I just feel a little funny, not with my vote, I feel very confident in my vote. The thing I feel funny about is that here we're looking at something that really has nothing to do with us. It's a very, very huge problem. You're talking about billions of dollars, not millions of dollars. And a few minutes ago when we were looking at a problem up in Smithtown and we had the ability to look at that problem on a very limited basis, we said no. So it just •• I feel very funny about, you know, like the consistency between this and looking at another problem that has nothing to do with us probably but we could have made an impact and we turned down money to do a study to see what could be done there. There's no consistency.

LEG. D'AMARO:

Mr. Chairman, could I just briefly respond to that? I know the vote's been taken but just very quickly?

P.O. LINDSAY:

I really don't want to get into a debate over this because it's 6:00 and we're just starting the introductory resolutions.

LEG. D'AMARO:

I just really feel the need to respond though very quickly for 30 seconds if I may. All right. Just, you know, we do have something to do with this, Legislator Alden. The fact of the matter is if the County •• let's say if the County ••

P.O. LINDSAY:

No, no way. I'm moving on. We're going to ••

LEG. D'AMARO:

•• health care program ••

P.O. LINDSAY:

We're going forward because you're going to be here 'til midnight. In about an hour you're going to be yelling that you want to take a supper break and you're going to be here until midnight again. And then we're going to argue about how long we're going to go. The motion has been passed. It's over with. Let it go.

1414, bond resolution, amending the 2006 capital budget and program and appropriating funds in connection with the improvements to the HYO Suffolk County Complex Field.

LEG. COOPER:

Motion to table.

P.O. LINDSAY:

Motion to table by Legislator Cooper. Is there a second?

LEG. MYSTAL:

Second.

LEG. KENNEDY:

On the motion.

P.O. LINDSAY:

On the motion.

LEG. KENNEDY:

This is a motion that I sponsored, Mr. Chair. And I had discussion with the majority leader on it. And I will concur for one cycle. None of the issues that we brought up regarding this have been resolved other than the kids are continuing to play ball in an area where the county made a commitment and has reneged on a commitment. And I find that Legislator Alden's comment regarding consistency resonates even with this one. I'll leave the speeches alone, but I think we got an issue with consistency.

P.O. LINDSAY:

Okay. Roll call.

MR. LAUBE:

It was a motion to table.

P.O. LINDSAY:

Motion to table. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1514, establishing a policy and procedure for naming of county facilities.

LEG. MYSTAL:

Motion to table.

LEG. COOPER:

Motion to table.

P.O. LINDSAY:

Motion to table. Do I have a second?

LEG. NOWICK:

Second.

P.O. LINDSAY:

All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

BUDGET AND FINANCE

P.O. LINDSAY:

**1158 amending the 2006 Operating Budget to transfer funding for the Suffolk County Council Transportation Advocacy Program.
(Viloria • Fisher)**

D.P.O. VILORIA • FISHER:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator Viloria • Fisher. Do I have a second?

LEG. BARRAGA:

Second.

P.O. LINDSAY:

Second by Legislator Barraga.

LEG. COOPER:

On the motion.

P.O. LINDSAY:

On the motion, Legislator Cooper.

LEG. COOPER:

I think that there's some confusion as to exactly what this \$20,000 is going

to be used for. Maybe the sponsor can clarify that once and for all.

D.P.O. VILORIA • FISHER:

Well, in the title of it it's transportation ••

LEG. BARRAGA:

Mike.

D.P.O. VILORIA • FISHER:

Let me make sure this is on. It's a transportation advocacy program for people who are disabled who need the use of public transportation. They research the grant monies that might be available for different •• for different programs throughout the County for disabled people who need public transportation. They have done reports for the county. They've done reports for the Transportation Advisory Commission. And it's \$20,000. And they had been •• it had been put on the •• in the operating budget. It had been, you know, approved in an operating budget and they're just waiting to be paid.

LEG. COOPER:

But there was some •• there is an allegation that the money •• the \$20,000 was going to go for •• to pay a salary for someone who is ostensibly a volunteer position.

D.P.O. VILORIA • FISHER:

You know what, the contract •• I wasn't the original sponsor of this.

LEG. COOPER:

I understand.

D.P.O. VILORIA • FISHER:

There had been an agreement. The person had a contract. It went to the County Attorney and to the department. And I just agreed to put it in the right department who would be willing to handle it.

LEG. COOPER:

I think I'd make a motion to table until we can clarify that point.

D.P.O. VILORIA • FISHER:

You know what, I'd rather just vote it or down because this poor person has been hanging now for a year and a half on a commitment that was made by the County. And it's \$20,000. He was told two years ago that it was in the budget. I don't believe that we should just keep dangling it in front of a person. We'll vote it up or down.

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

It wasn't an allegation. I just simply made a question as far as where the money was going; and if it was going to a salary, we have restrictions on that when we enter into a contract. And I was assured at the committee meeting that if it was strictly going to salary that that's not permissible so ••

D.P.O. VILORIA • FISHER:

Right. It would be covered before he got it.

LEG. ALDEN:

Yeah, it'd have to be expenses. So I think in the committee meeting there was a pretty decent explanation as far as, you know, what they could or couldn't do and who was going to police it. And it's County Attorney's Office.

P.O. LINDSAY:

Legislator Mystal.

LEG. MYSTAL:

The only other thing I want to add to the discussion is that the Department of Health doesn't want it.

D.P.O. VILORIA • FISHER:

Yes, they do.

LEG. MYSTAL:

No, they don't. Well, you know, they're telling you one thing. They're telling you one thing. I chaired the Department. When I asked them they said, no, it wasn't DPW. DPW doesn't want to do it. And then ••

LEG. ALDEN:

Who did you ask? The Department of Health?

D.P.O. VILORIA•FISHER:

Yeah, they don't want to do a lot of work.

LEG. MYSTAL:

Well, I'm just saying •• it wasn't DPW. DPW didn't want it. And then they switch it over to the Department of Health. They don't want it. Nobody wants to administer it. That's the •• that's the word that they use. They did not want to administer it.

D.P.O. VILORIA•FISHER:

My aide is telling me that she spoke with with Tom {McGilray} from the Department of Mental Health who would be administering this because it is for people who are with disabilities. And they did agree to manage the contract.

LEG. MYSTAL:

I spoke to somebody higher.

LEG. ALDEN:

Let's get the Commissioner down.

P.O. LINDSAY:

Legislator Caracappa, do you want to weigh in it?

LEG. CARACAPPA:

Very quickly, Mr. Chairman. I know we want to move along, but Legislator Viloria•Fisher is correct. This is money that we put in the Operating Budget for the last couple of years. Several different amounts. I think last year it was \$10,000 •• a portion. But keep in mind this isn't going directly to one individual. This is going to Suffolk Community Council that hires an outside

•• basically hires a person •• one of their expenses as an outside contract agency for which we have supported for years in this county on a whole host of issues that have helped our constituents. And in this instance he is a subcontractor that works on issues relating to, as was stated, people with disabilities and their ability for transportation in Suffolk County especially in our public transit system. He's a great advocate. He does a lot of good work through a good not•for•profit. So I think it makes sense. And it's worthy. And I think he's got the short end of the stick over the last year through the contract process and hopefully we can make it whole through this, again, worthy contract agency. Thank you.

LEG. MONTANO:

Call the question.

P.O. LINDSAY:

Okay. We have a motion and a second? Right, Mr. Clerk?

MR. LAUBE:

Yes, we do.

P.O. LINDSAY:

Okay. All in favor? Opposed? Abstentions?

LEG. MYSTAL:

Opposed.

LEG. COOPER:

Opposed.

LEG. D'AMARO:

Opposed.

LEG. STERN:

Opposed.

P.O. LINDSAY:

Two opposition. Three opposition. Four oppositions.

MR. LAUBE:

14.

P.O. LINDSAY:

Okay. **1239, establishing a new program in the office of Women's Services for Mitigating Domestic Violence. (Stern)** Legislator Stern, what's your pleasure?

LEG. STERN:

Motion to approve.

P.O. LINDSAY:

Motion to approve. Is there a second?

LEG. MONTANO:

Second.

P.O. LINDSAY:

Second by Legislator Montano. Any comments?

LEG. STERN:

On the motion.

P.O. LINDSAY:

On the motion, Legislator Stern.

LEG. STERN:

Thank you, Mr. Chair. This is •• this is a proposal that had been with us for quite sometime. It had been tabled a couple of times. We were awaiting receipt of a practice order from Judge Prudenti, the presiding justice of the appellate division. And we now have received that practice order. So now that these services can be provided in a clinical program through Touro Law School, which will certainly benefit law students in Touro which will certainly benefit us as Suffolk County residents but must more importantly will benefit those victims of domestic violence.

P.O. LINDSAY:

Thank you. Any other comments? We have a motion and a second. All in favor? Sorry, Legislator Caracappa.

LEG. CARACAPPA:

To the sponsor, this wouldn't exclude, this program, for males, would it? Seeing that it's through the Department of Women's Services? It's a valid point. I know you're laughing, but domestic violence affects males and it's a rather little talked about fact. And I would hope that the ability for men who have the need to go and get counseling and access this program would have that ability.

P.O. LINDSAY:

If we don't move this meeting along a couple of us might suffer from it.

LEG. STERN:

Mr. Chair, if I may?

P.O. LINDSAY:

You need to comment some more?

LEG. STERN:

If I may, the resolution does provide for victims and not a particular •• particular sex.

LEG. CARACAPPA:

Thank you, Legislator Stern.

P.O. LINDSAY:

Okay. Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

D.P.O. VILORIA • FISHER:

You have me a co•sponsor, right?

LEG. MYSTAL:

Co•sponsor on that.

P.O. LINDSAY:

Looks like mom and apple pie.

MR. LAUBE:

18.

P.O. LINDSAY:

Okay. 1498, amending the 2006 Operating Budget and transferring •• I missed one. I'm sorry. I'm sorry. **1409, a local law further extending first time homeowner county property tax exemptions. (Lindsay)**

D.P.O. VILORIA•FISHER:

Motion.

P.O. LINDSAY:

Motion by Legislator Viloría•Fisher, second by Legislator Losquadro. Any comments? All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

LEG. MYSTAL:

Co•sponsor

P.O. LINDSAY:

1498, amending the 2006 Operating Budget and transferring funds for the John T. Mather Memorial Hospital. (Lindsay)

D.P.O. VILORIA•FISHER:

Motion.

P.O. LINDSAY:

Motion by Legislator Fisher and •• Viloría•Fisher and Legislator Losquadro will make the second. I would like to just give a brief explanation. It's money that I had allocated in the Operating Budget last year to an agency that seems to be in difficulty so I'm reallocating the money to •• it's a

worthy program. It's to train practical nurses for job employment. So we have a motion and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

17.

P.O. LINDSAY:

1500, amending the 2006 operating budget and transferring funds for the Town of Babylon. (Horsley) Legislator Horsley.

LEG. HORSLEY:

Motion.

P.O. LINDSAY:

Motion by Legislator Horsely, second by Legislator Mystal.

LEG. ALDEN:

Explanation please.

LEG. HORSLEY:

Hang on one second.

P.O. LINDSAY:

Maybe, Counsel, can you explain it?

LEG. HORSLEY:

This was monies that was allocated to a Cedar Beach Youth Program where they brought down kids to the beach in the evening and they had sponsors, like the Lyon's Club, etc. The program basically petered out and the youth • the youth project coordinators in the Town of Babylon requested that the monies would go over to their •• to what was newly formed youth court where the •• where there are young people bringing issues in front of them from other •• concerning other youths and they have determinations ••

P.O. LINDSAY:

So it was money that was allocated to your district. It's being reallocated because the program dried up?

LEG. HORSLEY:

That's correct.

LEG. ALDEN:

Normally I might have a problem with giving money to a town for something, but you know what, in this instance, the sponsor •• the person that's in that district should have ultimate say on that; even if I disagree with what you want to say.

P.O. LINDSAY:

Okay. IR 1501 ••

MR. LAUBE:

You didn't call the vote yet.

P.O. LINDSAY:

Oh, I'm sorry. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

D.P.O. VILORIA • FISHER:

Not that he's in a hurry or anything.

P.O. LINDSAY:

1501, amending the 2006 operating budget and transferring funds for certain contracted agencies Long Island Citizens for Community Values and Island Harvest. (Mystal) Legislator Mystal, what's your pleasure?

LEG. MYSTAL:

Motion to approve.

LEG. COOPER:

Second.

P.O. LINDSAY:

Second by Legislator Cooper. On the question. Or anybody? Legislator Alden.

LEG. ALDEN:

Is this omnibus money?

MS. VIZZINI:

Omnibus money name clarification and transfers from Economic Development to the appropriate department.

LEG. ALDEN:

You got to defer to the Legislator, then.

LEG. MYSTAL:

It's just changing the name.

LEG. ALDEN:

Got to defer to the Legislator.

P.O. LINDSAY:

We have a motion and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1515 (amending the 2006 operating budget and transferring funds for the Village of Greenport and Vail•Leavitt Music Hall) (Romaine)

This is the one you were going to table for the mayor to come back?

LEG. ROMAINE:

Yes. Motion to table. The Mayor wanted to come back because he had

understood that the majority caucus had taken a vote to oppose this resolution of transferring this member item money for population count of the village and he definitely wanted to speak before the body on this matter. So I'm going to table it as a courtesy to the mayor.

P.O. LINDSAY:

We have a motion to table. I'll second. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1518, amending the 2006 Operating Budget and transferring funds for Pronto of Long Island Incorporated. (Alden) Legislator Alden.

LEG. ALDEN:

Motion to approve.

P.O. LINDSAY:

Second by Legislator Montano. Okay. We have a motion and a second. Moving right along. All in favor? Opposed? Abstentions?

LEG. MONTANO;

Put me down as a co•sponsor.

MR. LAUBE:

18.

P.O. LINDSAY:

Legislator Montano as a co•sponsor. Okay. **1519, amending the 2006 operating budget transferring funds to Sustainable Long Island. (Caracappa)** Legislator Caracappa.

LEG. CARACAPPA:

Motion to approve.

P.O. LINDSAY:

Motion to approve.

D.P.O. VILORIA • FISHER:

Second.

P.O. LINDSAY:

Second by Legislator Viloria • Fisher. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1531, amending the 2006 operating budget and transferring funds for the Greater Saville food pantry and Islip Children's endowment fund. (Alden)

LEG. ALDEN:

Motion to approve.

P.O. LINDSAY:

The good samaritan Legislator Alden. I'll second that. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

LEG. ALDEN:

Thank you.

P.O. LINDSAY:

1544, amending the 2006 budget and appropriating funds in connection with the building of an incinerator • • no, I'm sorry. Babylon Citizens Council on the Arts. (Horsley)

LEG. HORSLEY:

You're cute. I'll make the motion.

P.O. LINDSAY:

Motion by Legislator Horsely.

LEG. D'AMARO:

Second.

P.O. LINDSAY:

Second by Legislator D'Amaro. Any discussion? All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

LEG. MYSTAL:

Co.

P.O. LINDSAY:

1585, amending the 2006 operating budget and transferring funds to various agencies. (Stern) Legislator Stern, what's your pleasure?

LEG. STERN:

Motion to approve.

P.O. LINDSAY:

Motion to approve. Is there a second?

LEG. COOPER:

Second.

P.O. LINDSAY:

Second by Legislator Cooper. Question? Legislator Schneiderman?

LEG. SCHNEIDERMAN:

I didn't have all the information when this was in committee. And I want to know •• my question was has this organization already spent the money because these are reimbursable funds? Anybody able to get an answer on

that?

LEG. STERN:

I'm told no.

LEG. SCHNEIDERMAN:

They have not made any expenditures? Okay. Are they •• they're aware of this?

LEG. STERN:

Yes.

LEG. SCHNEIDERMAN:

Okay.

LEG. MYSTAL:

If they are not, that's his problem.

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

And normally we would have to go into a big explanation and things like that. But I will defer to the Legislator from that district.

P.O. LINDSAY:

All right. Did we call that vote? No. Do we have a motion and a second? All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1587, amending the 2006 capital budget and program amending the 2006 operating budget transferring assessment stabilization reserve funds to the capital fund and appropriating funds in connection with the planning for improvements to sewer district number 6, Kings

Park. (Nowick) Motion by Legislator Nowick.

LEG. KENNEDY:

Second.

P.O. LINDSAY:

Second by Legislator Kennedy. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1594, transferring contingent funding for various contract agencies

Phase III. (Lindsay) This is everybody's money. Phase II. Excuse me. I make a motion.

D.P.O. VILORIA•FISHER:

Second.

P.O. LINDSAY:

Second by Legislator Viloría•Fisher. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1595, amending the 2006 operating budget and transferring funds for COFA and St. Martin of Tours Knights of Columbus. (Montano)

Legislator Montano makes the motion, second by Legislator Mystal. Any questions on this?

LEG. ALDEN:

I'll defer to the Legislator from that district.

P.O. LINDSAY:

All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

LEG. COOPER:

And I volunteer to fly down to St. Martin to make sure that the money is being spent appropriately.

P.O. LINDSAY:

IR 1533, designating the last week of April as "Alec's Week" (Alden)

LEG. ALDEN:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator Alden, second by Legislator Nowick. All in favor? Opposed? Abstentions? And I'd like to co•sponsor that.

MR. LAUBE:

18.

LEG. STERN:

Co•sponsor.

ECONOMIC DEVELOPMENT, HIGHER EDUCATION AND ENERGY

P.O. LINDSAY:

1597, approving and authorizing a contract to promote convention business and tourism in Suffolk County. (County Executive) I'll make a motion.

LEG. HORSLEY:

Second.

P.O. LINDSAY:

Second by Legislator Horsely.

LEG. ALDEN:

Is this with Mike Hollander as an individual or ••

P.O. LINDSAY:

I don't think so. We have a motion and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1614 A, a bonding resolution appropriating funds in connection with the Learning Resource Center in the eastern campus.

LEG. NOWICK:

Motion.

P.O. LINDSAY:

Motion by Legislator Nowick.

LEG. EDDINGTON:

Second.

P.O. LINDSAY:

Second by Legislator Eddington. Roll call.

(* Roll called by Mr. Laube • Clerk*)

LEG. NOWICK:

Yes.

LEG. EDDINGTON:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

D.P.O. VILORIA • FISHER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

18.

P.O. LINDSAY:

Okay. **IR 1614 (appropriating funds in connection with the Learning Resource Center, Eastern Campus) (County Executive)** Same motion, same second, same vote. **IR 1623, appropriating funds to implement out of county tuition payment policy for Suffolk County Community College. (County Executive)** I'll make the motion. Do I have a second? Legislator Eddington.

LEG. ALDEN:

Brief explanation.

P.O. LINDSAY:

Sure thing. Legislator Alden would like an explanation.

MR. NOLAN:

This resolution appropriates \$4,000 to implement the out of county tuition payment policy for Suffolk Community College. The college is entitled to a maximum incentive of \$2,000 per student for each student that chooses not to attend the community college. It's for a good ••

LEG. ALDEN:

Okay.

P.O. LINDSAY:

Okay. We have a motion and a second. All in favor? Opposed?
Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1628, authorizing use of property at Gabreski Airport by the Kiwanis Club of Greater Westhampton. (County Executive) Legislator
Schneiderman

LEG. SCHNEIDERMAN:

Motion.

P.O. LINDSAY:

Legislator Schneiderman makes a motion. Second by Legislator Eddington.
All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1225 approving Master List number IV and planning steps for environmentally sensitive land, farmland and recreationally important land acquisitions. (Romaine)

LEG. ROMAINE:

Motion.

LEG. COOPER:

Motion to table.

P.O. LINDSAY:

Motion by Legislator Romaine and a motion by Legislator Cooper to table.

And a second to the tabling motion?

LEG. D'AMARO:

Second.

P.O. LINDSAY:

We have a motion to table 1225 and a second. Legislator Romaine.

LEG. ROMAINE:

Yeah, I'd like to ask the sponsor of the tabling motion the purpose for tabling?

LEG. COOPER:

That's strange. I've never been asked that before. I don't think that I have to answer that question.

LEG. ROMAINE:

No, but I would like you to. And I think in fairness as a colleague ••

LEG. LOSQUADRO:

It was voted out.

LEG. ROMAINE:

•• it was voted out of the committee. All of these were approved by the Department of Planning. And Tom Isles gave his blessing to it at the committee meeting. I'd like to ask you what is your purpose for tabling this?

LEG. COOPER:

I have been opposed to this from day one. If we want to get into this, we can. There are a numbers of parcels involved in this all on the east end, all in Riverhead. I'm increasingly concerned that as a representative of taxpayers in western Suffolk County, we're spending too much •• spending too much money acquiring land in eastern Suffolk County. And I've asked for an audit to be done to get a better idea as to just what the expenditures have been to date. And until I can get an assurance or a reassurance that there is not an unfair re•distribution of wealth in effect from western Suffolk

County to eastern Suffolk County, I hesitate in approving a resolution that covers the acquisition of nearly 1,000 acres of land.

LEG. ROMAINE:

Mr. Presiding Officer.

P.O. LINDSAY:

Legislator Alden; and then I'll recognize you again. And Legislator Losquadro.

LEG. SCHNEIDERMAN:

Put me on the list, too.

LEG. ALDEN:

And through the Chair I have a question of Budget Review. A few minutes •
• well, not a few minutes ago, a while ago now we approved a Capital Program that included how much money for acquisitions in partnership with the five eastern towns?

LEG. LOSQUADRO:

50 million.

LEG. ALDEN:

50 million.

MS. VIZZINI:

Well, the new program is fifty million.

LEG. ALDEN:

Okay. Thanks. But as a clarification, that's in partnership with the five eastern towns?

MS. VIZZINI:

Correct. We also have the Multifaceted which is 13 million each year.

LEG. ALDEN:

Okay. Thank you.

P.O. LINDSAY:

Okay. Legislator Romaine.

LEG. ROMAINE:

Yes. Obviously that was not the feeling of the sponsor of the tabling motion when Master List I, II and III came forward sponsored by the County Executive for purchases on the east end almost exclusively in each of these Master Lists. The Legislator from the 18th District had no problem in voting for Master List I, II and III when the sponsor of that resolution was the County Executive.

Saving farmland has been something that has been historic in this county. It was introduced in 1975 by County Executive; then County Executive John Klein. And it has been something that we've attempted to do. The majority of farmland resides on the east end simply because of the geography and the nature of development in this county.

If Mr. Cooper and Mr. D'Amaro who seconded his motion is asking now to turn their back on saving farmland in Suffolk County, they are altering a historic effort by this county to save its farmland and open space. I would hope •• I would hope that the Legislature as a body would reject such narrow geographic efforts; and that the County Executive would join with me as he has in sponsoring Master List I, II and III to save farmland and open space on the east end. This •• we have never voted against saving open space in the west end. The problem is the west end developed faster than the east end. This is a historic effort to change the course and policy and direction of this county for the last 30 some odd years. This vote tonight will change the course and direction of this county if this motion is tabled. You're absolutely right, Elie.

Anyway, I just want to note the significance. And I would hope •• and I call upon the County Executive to join with me in rejecting such geographic efforts to split east against west, suburban against rural. It is the wrong thing to do and it will reverse an historic policy of this county. Thank you.

P.O. LINDSAY:

Legislator Losquadro.

LEG. LOSQUADRO:

We began this discussion in committee. It was voted out of committee unanimously. I hope that this would end there. Legislator Cooper, I'm exceptionally disappointed. We just voted for an omnibus that included \$50 million exclusively for partnerships. And that money is earmarked we know almost entirely towards the townships that have community preservation funds which are five east end towns. We know for a fact that we discuss it all the time about our sales tax revenue; that it is driven in large part by the tourism economy on the east end. And people do not go to the east end to see continued development.

This is an integral part of preserving the agricultural and the rural bucolic nature of Suffolk County. And I am really, really dumbfounded as to this being made out to be an east versus west type of discussion. And quite frankly this is really smacking of blatant partisanship. And I really thought that our environmental concerns were well above that. I'm very disappointed and I really hope that this does not go down along party lines.

P.O. LINDSAY:

Okay. Did you want to comment, Legislator Cooper?

LEG. SCHNEIDERMAN:

I'm on the list.

LEG. COOPER:

I mean just very briefly. I don't want to extend •• because we really could go on for a couple of hours. But to what extent should the towns in •• the five eastern towns bear the responsibility for open space acquisition? I mean they've got a lot of money on their own.

LEG. LOSQUADRO:

And they spend it.

LEG. ROMAINE:

They spent it all. Riverhead, there's no money left.

LEG. COOPER:

Suffolk County historically has spent disproportionately •• vastly disproportionately on acquiring land in the five eastern towns. And as the taxpayers •• it's my taxpayers that are paying •• I'm waiting for the exact figure •• but they're paying the vast majority of the funding for the acquisition.

And I've supported it in the past. I've always been a big proponent of open space acquisition. But at some point I think that we have to take another look at this philosophically and determine to what extent as a county this is an appropriate expenditure. I'm not saying that we should cut back entirely. But here we're talking about 1,000 acres. A thousand acres.

LEG. ROMAINE:

400. It was 400.

LEG. COOPER:

Anyway, that's why I wanted to table it. If you want, we'll call the vote and •• okay.

P.O. LINDSAY:

Legislator Schneiderman.

LEG. SCHNEIDERMAN:

I'm still slightly in shock. I don't know where you're going, Jon, but you might want to stick around for a second because, you know, I'm a little bit shocked by Legislator Cooper's comments that he would table this simply because they are east end land acquisitions and not getting to the merits of whether they're worthy as county acquisitions. And, yes, we may have money. But it's only because we have taxed ourselves to the community preservation fund. And almost every acquisition the County has done in my area has been with 50% partnerships from the town. And now as Brookhaven considers a similar CPF fund, is that suddenly going to make them ineligible because they no longer have the money? The CPF funds allow the towns to leverage with the county so the dollars could go further.

Now I want to bring your attention to today's agenda because we have seven planning steps and four acquisitions. Planning steps for Brookhaven; one in Riverhead. We have a planning step in Smithtown. We have a planning step in Brookhaven, a planning step in Babylon, one in Southold. A planning step in Amityville. And four acquisitions: Huntington, Brookhaven, Smithtown and Babylon. So don't tell me this is all skewed toward the east end. It clearly is not.

LEG. COOPER:

I said it was disproportionately ••

P.O. LINDSAY:

All right. Through the Chair. Legislator Caracappa.

LEG. CARACAPPA:

Quick question.

LEG. SCHNEIDERMAN:

Two out of eleven.

LEG. CARACAPPA:

Quick question to Legislator Cooper. How far east is east? That's what I'd like to know. In your view point.

LEG. COOPER:

Let's take five eastern towns versus the five western towns. That's a good starting point.

LEG. CARACAPPA:

Okay. Just wanted to know. It gives me a starting point so I know what you're talking about.

LEG. SCHNEIDERMAN:

And none of that eleven was in my district.

P.O. LINDSAY:

Okay. Any other comments? Legislator D'Amaro.

LEG. D'AMARO:

Yeah. I just wanted to state on the record that Legislator Romaine made a blanket statement that my position is to be against farmland preservation. I just want to emphatically state that it's not. Thank you. Thank you.

P.O. LINDSAY:

That's it. Okay. We have a motion to table.

LEG. COOPER:

I'll withdraw my tabling motion.

LEG. LOSQUADRO:

Thank you.

LEG. ROMAINE:

Motion to approve.

LEG. ALDEN:

Good strategy.

P.O. LINDSAY:

Okay. You want a roll call, Legislator Romaine?

LEG. ROMAINE:

Yes, I do.

P.O. LINDSAY:

Roll call.

MR. LAUBE:

Tabling withdrawn?

P.O. LINDSAY:

The tabling was withdrawn. We have a motion to approve. I don't know •• and a second by Legislator •• Schneiderman is the second.

MR. LAUBE:

Okay.

P.O. LINDSAY:

Roll call.

(* Roll called by Mr. Laube • Clerk*)

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Pass.

LEG. CARACAPPA:

Absolutely. Yes.

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

Pass.

LEG. MONTANO:

Pass.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Pass.

LEG. MYSTAL:

No.

LEG. STERN:

Pass.

LEG. D'AMARO:

No.

LEG. COOPER:

No.

D.P.O. VILORIA • FISHER:

Yes.

P.O. LINDSAY:

No.

LEG. BROWNING:

No.

LEG. EDDINGTON:

No.

LEG. MONTANO:

No.

LEG. HORSLEY:

No.

LEG. STERN:

No.

LEG. ALDEN:

At least it's consistent. Over \$50 million. That's great.

MR. LAUBE:

Nine.

MS. KRAUS:

I'm sorry? Nine?

MR. LAUBE:

Nine.

LEG. ROMAINE:

Get ready for the next meeting in Riverhead. We will pack those halls.

P.O. LINDSAY:

All right. Just a procedural thing. I'm going to stop right now. Could you give me some direction? Do want us to send out for some food because we're only a quarter through?

LEG. LOSQUADRO:

No. Go, go, go.

P.O. LINDSAY:

Okay.

LEG. NOWICK:

Let's keep going.

LEG. ALDEN:

Bread and water.

P.O. LINDSAY:

I'll try and shorten them up if that'll help. **1288, creating a homestead A**
•syst Task Force to minimize the use of pesticides and fertilizers. Do
I have a motion?

D.P.O. VILORIA • FISHER:

Motion approve.

P.O. LINDSAY:

Motion to approve by Legislator Vilorina • Fisher.

D.P.O. VILORIA • FISHER:

Are you seconding it?

LEG. SCHNEIDERMAN:

On the motion, I'll second it for the purpose of discussion but I thought it
was clear that we're tabling this.

P.O. LINDSAY:

I already have a second. Do you want to put the foot on the list?

LEG. SCHNEIDERMAN:

Yes.

P.O. LINDSAY:

You were the second, right, Tom? Okay. Legislator Schneiderman.

LEG. SCHNEIDERMAN:

I thought there was an agreement that we were all working with the County
Executive on one bill here and that these would all be tabled so •• until we
had a comprehensive bill ••

D.P.O. VILORIA • FISHER:

No. I told the County Executive that I wasn't waiting for their •• the data
that they were going to bring because it was going to take too long; that
there's no reason why that data couldn't come before this commission and
address the kinds of education programs that you and I had spoken about

last year when I supported your efforts with regards residential use of pesticides and fertilizers. And I •• so I don't think that these are mutually exclusive; certainly the data that's coming from the County Executive's Office can come before this Commission and it can be used to implement some of the programs that are so important to us.

LEG. SCHNEIDERMAN:

If I could, you know, I have a bill in that I think is very important for the safety of children by taking lethal chemicals and putting them out of reach of children. And I don't really want to hold that up either. And I was only doing it in this effort to work together. So, you know, I'm not gong to vote against your bill. I'll support it. I'm a co•sponsor on it, but, you know, I'd like my bill to move forward as well.

D.P.O. VILORIA•FISHER:

If I may through the Chair just to respond to that, this is not implementing an action. This is putting together a task force to see which are the best •• which is the best way to go and so that bill and the County Executive's bill will all come under consideration with this committee. At least we have people looking at it to see what will work. And I made it very clear to the County Executive's Office in a phone call that I was not waiting for it.

P.O. LINDSAY:

I'm a little confused as well. I mean this isn't my issue. And I look to both you Legislator Schneiderman and Legislator Viloría•Fisher on this issue but there seems to be about five bills out there in some state dealing with pesticides. And I thought we were going to have a comprehensive approach to the whole thing.

D.P.O. VILORIA•FISHER:

Okay. We have a motion and a second.

P.O. LINDSAY:

We have a motion and a second. All in favor? Opposed? Abstentions?

LEG. CARACAPPA:

Opposed.

LEG. ALDEN:

Abstain.

LEG. LOSQUADRO:

Abstain.

MR. LAUBE:

15.

P.O. LINDSAY:

Okay. **1465, authorizing planning steps for the acquisition under the Suffolk Save Open Space Farmland Preservation Hamlet Parks UA Theatre and surrounding property, Town of Brookhaven.**

LEG. ALDEN:

I'll make a motion to table.

P.O. LINDSAY:

Motion to table by Legislator Alden. Motion to approve by Legislator Eddington.

LEG. COOPER:

Second.

P.O. LINDSAY:

Wait a minute, wait a minute. Let me get the seconds first. Second by Legislator Cooper to the approval. And do I have a second on the tabling motion?

LEG. ALDEN:

I'm confused now.

P.O. LINDSAY:

Do we have a second to the tabling motion?

LEG. KENNEDY:

I'll second for the purpose of discussion.

P.O. LINDSAY:

Second by Legislator Kennedy. And the tabling takes precedence. I recognize Legislator Alden.

D.P.O. VILORIA • FISHER:

Can you put me on the list, please.

LEG. ALDEN:

I'd like to, you know, think that we did something here as far as policy and established some kind of thing that we can take forward as far as how we're going to treat open space preservation and the whole nine yards as far as protecting drinking water, protecting open space, providing some recreational facilities and recreational opportunities for children and adults throughout Suffolk County. That's why this I find very perplexing in light of the Master List 1225. So, I don't understand how you could vote for 1465 and vote against 1225 especially in light of what we voted on in the Capital Program that authorized \$50 million worth of acquisition that would primarily have to take place in the eastern end towns because it partners with the eastern towns. So I'm just a little bit perplexed over the direction that this legislature's going through today. But you know what? I'll say it because it was said in the past. Politics. Politics make some strange policy. I'll withdraw the tabling motion.

LEG. ROMAINE:

This is western farmland.

P.O. LINDSAY:

Wait a minute. Wait a minute. Through the Chair. And I'm going to exercise the chair. I don't believe a master list should be coming from an individual Legislator. I think it should be coming through the Planning Department through the County Executive. Not •• that's like me and you drawing up a master list for all of Islip.

LEG. ALDEN:

Okay. Point of personal privilege, then, to answer that. I believe that the

Planning Commissioner came down and said that he agreed 100% with that master list. And so did Ben Zwirn who represents the County Executive so I don't believe it was a signal handed effort by a legislator.

P.O. LINDSAY:

Viloria•Fisher.

D.P.O. VILORIA•FISHER:

Okay. If you you'll notice this with discharged without recommendation. And I did speak with Legislator Eddington to clarify some of the language in it, which through the Chair, if I may ask Legislator Eddington to answer the questions that we had when it was discharged without recommendation.

LEG. EDDINGTON:

Through the chair. I'll respond. This is forty acres. It's in mid Suffolk. It probably is the biggest open area. And right now I'm working with the developer of that area. And he is pretty close to gifting 19 acres so we would be purchasing actually less. But Budget Review said to put in for the 40 because we can't be sure. And I'm also talking to Brian Foley, the Executive there in Brookhaven. So we're •• this is going to be a nature preserve. There's going to be some trails there. And it'll be the biggest area in mid Suffolk that's been purchased as far as I know.

D.P.O. VILORIA•FISHER:

Do you know if Brookhaven will have a resolution to go ahead and partner with us on this? Is that what Supervisor Foley is representing?

LEG. EDDINGTON:

Right. They are working on that, yes.

D.P.O. VILORIA•FISHER:

Great. Good.

P.O. LINDSAY:

Anyone else?

LEG. ALDEN:

I have question.

P.O. LINDSAY:

Yes, Legislator Alden.

LEG. ALDEN:

Is this on the master list; on any of them?

P.O. LINDSAY:

I don't know.

LEG. EDDINGTON:

I don't know of any master list.

LEG. ALDEN:

I think we decided that policy was established anyway that the purchases would go off or come off the master list. I mean, you know, that's okay if we're going to vote and depart from policy and procedure in the past. It's no big deal.

P.O. LINDSAY:

We have a motion and a second. Anybody else?

MR. LAUBE:

No. You had a motion •• never •• who was the motion.

P.O. LINDSAY:

We had a motion to approve.

LEG. ALDEN:

Through the Chair? Is there a representative of the County Executive that can tell us whether this is on the list or not?

LEG. MYSTAL:

No. They're gone.

LEG. ALDEN:

I withdrew the motion for tabling.

MR. SABATINO:

I'm sorry, Legislator, what was the question?

LEG. ALDEN:

Through the chair. Paul, would you know if this hamlet park fund •• UA Theatre and surrounding property, Town of Brookhaven, is that on the master list for review and purchase?

MR. SABATINO:

Is 1465 on the master list? I don't believe it is.

LEG. ALDEN:

So, it wasn't evaluated? It wasn't given a numerical value?

MR. SABATINO:

It was evaluated. The evaluation was given to the committee. I wasn't at the committee, but I know that there was some kind of a presentation made. I don't know what •• I don't recall specifically because I wasn't at the committee but I know there was an evaluation done in the normal course of events because you're basically when you're adding parcels with planning steps, that's the normal process. I just don't recall what •• I think you need a minimum of 25. And I'd have to defer to the people at the committee.

LEG. ALDEN:

Thanks.

P.O. LINDSAY:

Do you have a second?

MR. LAUBE:

No, I need a clarification on the motion and the second..

P.O. LINDSAY:

Legislator Eddington made the motion. And I'll make the second. All in

favor? Opposed? Abstentions

MR. LAUBE:

18.

P.O. LINDSAY:

1513, authorizing planning steps for implementing Greenways Program in connection with the acquisition of active parkland, Suffolk County Tax Map, Town of Riverhead, Zoumas property. (Romaine) Legislator Romaine.

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

Motion. Is there a second?

LEG. KENNEDY:

Second.

P.O. LINDSAY:

Second by Legislator Kennedy. On the question?

LEG. COOPER:

Motion to table.

P.O. LINDSAY:

Motion to table by Legislator Cooper. Is there a second?

LEG. MYSTAL:

Second.

P.O. LINDSAY:

Second by Legislator Mystal. Any discussion? Legislator Romaine.

LEG. ROMAINE:

Yes. We heard from the various youth groups, a combination of youth

groups that are prepared to manage this property. This is for kids. This is active parkland. This is sports fields. I'd like to once again respectfully request the maker of the motion to table, if there is a specific reason that he's tabling so I can understand and possibly work with him to address whatever concerns he might have about this resolution.

LEG. COOPER:

I would be pleased if you would like to call my office then •• yes, I would be pleased ••

LEG. ROMAINE:

I mean that's the purpose of this Legislature to have discussion, occasionally have debates. I understand you have a different point ••

LEG. COOPER:

I also would like go try to get out of here at a reasonable hour so in deference to the sponsor if you'd like to reach out to me personally, I'd be more than pleased to discuss this with you.

LEG. ROMAINE:

Well, we're going to cast a vote on this now, sir. So ••

LEG. COOPER:

Well, again right now, I made a tabling motion and people can vote the way they would like to vote.

LEG. ROMAINE:

I would ask why you would want to table this particular resolution? If there's something about this resolution that troubles you, I'd like to at least know what that is so possibly we can address that or whatever concerns you may have. Do you have a specific concern about this that brings you to table it?

LEG. COOPER:

I'm under no obligation to answer that. I already said I would be more than pleased to reach out to the sponsor of this resolution to try address any concerns that there may be. If that's not good enough for you, we'll call the

vote. What else can I say?

P.O. LINDSAY:

Okay. Legislator Caracappa.

LEG. CARACAPPA:

Mr. Chairman, I'll digress away from the issue if you'll allow me for just 30 seconds. This is ridiculous. In the past the majority caucus, which happened to be Republican, any time there was even a simple allegation that there was a little politics being played with land acquisitions, there was heck to pay. We as a body should not be playing politics with land acquisitions whether it's in Montauk or Melville, on the south shore or the north shore. There's only a limited amount of space left in this county. And to start playing politics with land acquisition has been almost like an unwritten sin around this horseshoe. We just don't do it. We never have done it. And when we have done, we've reversed ourselves very quickly. We've taken beatings in the press from Newsday to Suffolk Life. This is not what politics is supposed to be played in. And it's just ridiculous that it's happening here today and now.

Legislator Cooper has a right to have land acquisition in his district. Legislator Romaine certainly and along with Legislator Schneiderman has the right to have land acquisition in their district. And if we don't pull together and leave the politics out of land acquisition, we are just absolutely telling the constituents that we all represent to drop dead as it relates to the environment and the preservation of land throughout this county. It's wrong. It's wrong. And we've stated it's wrong many times before. And we should not be diving into it again regardless of the majority, regardless of the district or regardless of the issues that may surround or be dictating your votes on certain issues. So, I just want to put that on the record, Mr. Chairman.

P.O. LINDSAY:

Legislator Vilorio•Fisher.

D.P.O. VILORIA • FISHER:

I agree with what Legislator Caracappa just said. As Chair of the Environment Committee, I was part of the majority that voted all of these resolutions out of committee. We had long discussions on some of them. On this one, on 1513, we had lengthy discussions because we talked about the fiscal solvency of the group. Legislator Losquadro addressed that. Today we had a speaker from the group. And during the planning steps, part of what the process is that the group be vetted; that they produce documentation that would indicate their ability to maintain and manage the properties. And so I see no reason to table this resolution at this point in time. And I will support in approving •• a motion to approve.

P.O. LINDSAY:

Legislator Mystal.

LEG. MYSTAL:

This is for Legislator Caracappa. If you can, and I think I'm talking to a friend, just let it settle for one cycle, please.

LEG. NOWICK:

Yeah, let everything settle for one cycle.

LEG. MYSTAL:

Let everything settle for one cycle. We've been frayed. Let it settle for one cycle. I think, you know, it's too ••

LEG. ALDEN:

Gas sales tax.

LEG. CARACAPPA:

I hear you, Legislator Mystal. And you were here in the last session when •• again the past majority caucus did it. And it wasn't right. And it's not right now. And it was asked back then just one cycle so we can ask questions. And there was no need to do it. The bottom line is, is an acquisition, a planning step is an acquisition is a planning step. It's before us today. They're all time sensitive. And to wait one cycle or two cycles just on •• just

in an effort to cut a deal on either sales tax on gasoline or whatever else it may be dictating this today is wrong. It's absolutely wrong. Especially as it relates to land acquisition. You know that. I know that. And I've said what I have to say. And I'm trying to do the right thing like Legislator Schneiderman said. And I'm certainly not trying to be a person here trying to preach. It's not my style. But this is one area that we've always •• always pulled together and tried to keep politics out. And again land acquisition.

P.O. LINDSAY:

Legislator Cooper.

LEG. COOPER:

Let me ask a question either of the sponsor or of Counsel. My understanding is that before a resolution such as this can move forward, we need to have a binding contract with, in this case, NYSA. Is that correct? And do we have •• do we have such a contract?

MR. NOLAN:

No, I don't believe there's a contract in place yet. But it's not necessary for a planning steps resolution. If we moved ahead and ultimately did a purchase, then we'd need something but more binding.

P.O. LINDSAY:

Anybody else? Okay. We have a motion to table. Roll call.

(* Roll called by Mr. Laube • Clerk*)

LEG. COOPER:

Yes to table.

LEG. MYSTAL:

Yes.

LEG. ROMAINE:

No to table.

LEG. SCHNEIDERMAN:

No.

LEG. BROWNING:

No.

LEG. CARACAPPA:

No.

LEG. LOSQUADRO:

No.

LEG. EDDINGTON:

Pass.

LEG. MONTANO:

Pass.

LEG. ALDEN:

No.

LEG. BARRAGA:

No.

LEG. KENNEDY:

No to table.

LEG. NOWICK:

No to table.

LEG. HORSLEY:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

Yes.

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

MR. LAUBE:

Eight.

P.O. LINDSAY:

Motion fails to table. Motion to approve?

LEG. ROMAINE:

Motion to approve, please.

P.O. LINDSAY:

Second. Okay. You want to talk about it? Do you want a roll call, no?

LEG. ROMAINE:

Roll call.

MR. LAUBE:

Wait. You had a motion. You had a motion and a second from Romaine and Kennedy. So, you didn't need to re•do it.

P.O. LINDSAY:

Oh, okay, I'm sorry. I missed that. I'm going to try to avoid the roll call. All in favor? Opposed? Abstentions?

LEG. MYSTAL:

Roll call.

P.O. LINDSAY:

No, why do you need a roll call for? You just did a roll call.

MR. LAUBE:

18.

P.O. LINDSAY:

1517, appointing a member of the Council of Environmental Quality to represent historic preservation interest, Mary Ann Spencer.

(Viloria • Fisher) Motion by Legislator Fisher. I'll second the motion. All in favor? Opposed? Abstentions.

MR. LAUBE:

18.

P.O. LINDSAY:

1520, donation and dedication of certain lands to county parks at SCDHS Board of Review Transfer of Development Rights.

(Losquadro) Legislator Losquadro makes a motion, second by Legislator Fisher. All in favor?

LEG. COOPER:

On the motion.

P.O. LINDSAY:

On the motion, Legislator Cooper.

LEG. COOPER:

And maybe •• I don't know whether the sponsor would be the best one for answer this but isn't this the case where there was some potential conflict of

interest with an individual that •• Vivian, do you want to address this?

D.P.O. VILORIA • FISHER:

Yes, I'll take this because it did come before my committee as Chair of the Environment Committee. And I had discussions about this with Mr. Sabatino as well. And there had been an allegation of a perceived possible conflict which indeed were proven at the horseshoe to have been unfounded because the person who served on CEQ and whose client is the principal involved in this, Mr. Cramer who was a member of CEQ at that time not only recused himself from the vote regarding this client, he actually left the room during the discussion.

Subsequent to this matter Mr. Cramer resigned from CEQ. So, he's no longer at CEQ and there's no reason for us to •• to vote against 1520 when the Department of Health and Real Estate, both departments, have reviewed this and this is certainly appropriate. There is no problem and there's certainly no question of conflict of interest. Mr. Cramer no longer serves on CEQ.

LEG. COOPER:

Thank you.

LEG. LOSQUADRO:

And just as a quick follow•up, the reason that this bill was re•filed in the first place, it's identical language, but •• so that it would be a new resolution that went through the process anew and went before CEQ after Mr. Cramer had resigned. Thank you. So it went before CEQ after his resignation; therefore it should have, you know, no perceived or real problems.

LEG. COOPER:

Thank you.

D.P.O. VILORIA • FISHER:

Okay. There's a motion and a second. All in favor? Opposed?

LEG. ALDEN:

Abstention.

LEG. D'AMARO:

Abstention.

D.P.O. VILORIA • FISHER:

There's an abstention. Legislator Alden, Legislator D'Amaro and Legislator Mystal are abstaining. And Legislator Barraga is a no. And Legislator Montano is also abstaining.

LEG. COOPER:

I'll abstain as well. I'm sorry.

D.P.O. VILORIA • FISHER:

Okay.

MR. LAUBE:

That's everybody? That's 12.

D.P.O. VILORIA • FISHER:

Thank you.

P.O. LINDSAY:

1526, authorizing planning steps for the acquisition of land under the First Quarter Cent Suffolk County Drinking Water Protection Program, Town of Smithtown, Kappler Court property. Legislator Kennedy.

LEG. KENNEDY:

I'll make a motion to approve. It's a bargain. It's under water.

D.P.O. VILORIA • FISHER:

Water front property.

P.O. LINDSAY:

We have a motion to approve. Do we have a second? Second by Legislator

Nowick. Any discussion? All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1532, appointing member of the Council on Environmental Quality Enrico Nardone. Legislator Alden?

LEG. ALDEN:

I have to make a motion to table. There's one technical correction has to be made.

P.O. LINDSAY:

Okay. Motion to table. I'll second. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1543, authorizing planning steps for the acquisition under the Suffolk County Save Open Space Farmland Preservation and Hamlets Parks.
Legislator Losquadro makes a motion to approve.

LEG. ROMAINE:

Second.

P.O. LINDSAY:

Second by Legislator Romaine.

LEG. ALDEN:

On the motion.

P.O. LINDSAY:

Legislator Cooper, you want to second that? On the motion, Legislator Alden.

LEG. ALDEN:

Is this the golf course?

LEG. LOSQUADRO:

No. If I may, through the Chair, the reason that it's adjacent to the Tall Grass Golf Course, it was formerly part of the same tract of land all owned by the DeLalio family, but the potential development that a builder would like to put on the site, that's what they would be calling it. So that has become the generally accepted name throughout the community.

LEG. MYSTAL:

Question.

P.O. LINDSAY:

Question, Legislator Mystal.

LEG. MYSTAL:

To the sponsor.

LEG. LOSQUADRO:

Yes.

LEG. MYSTAL:

And why could we develop that land?

LEG. LOSQUADRO:

Excuse me?

LEG. MYSTAL:

Why couldn't we develop it? Just asking. Why couldn't we?

LEG. LOSQUADRO:

Because, again, this is part of preserving our agricultural economy. And I'm not that far east contrary to what some of the western folks might think, towards the eastern end of Brookhaven town. But this is a piece of farmland

that ••

LEG. MYSTAL:

Are we just buying the development rights?

LEG. LOSQUADRO:

Yes, this would be for the purchase of the development rights to continue to its agricultural use.

P.O. LINDSAY:

Legislator Mystal, were you thinking about affordable housing around the golf course?

LEG. MYSTAL:

Of course. Of course, I was. Of course, I was.

P.O. LINDSAY:

All right. We have a motion and a second. Any other discussion? All in favor? Opposed? Abstentions?

LEG. ROMAINE:

Could the clerk list me as a co•sponsor, please? Thank you.

MR. LAUBE:

18.

P.O. LINDSAY:

1546, authorizing planning steps for implementing Greenways Program in connection with the acquisition of active parklands at 2275 Great Neck Road, Copiague, Town of Babylon. (Mystal)

LEG. MYSTAL:

Motion to approve.

LEG. LOSQUADRO:

I will second acquisition of that point one acre of land.

LEG. MYSTAL:

Yeah, we can't build on it. That's what happened. I wish I could build on it. As a matter of fact the piece of land has a foundation on it. And the town took it down because ••

D.P.O. VILORIA • FISHER:

I think Counsel is trying to weigh in on this discussion.

LEG. MYSTAL:

We have to table it.

MR. NOLAN:

That's right.

LEG. MYSTAL:

Motion to table.

MR. LAUBE:

For clarification that was a motion to table by Legislator Mystal and second by Legislator Losquadro. Okay.

P.O. LINDSAY:

We didn't call the vote yet, right? All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1456, authorizing planning steps implementing Greenways Program in connection with the acquisition •• we did that, all right. 1573 authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program Stankevich property, Town of Southold. (Romaine)

LEG. ROMAINE:

Motion.

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

We have a motion and a second. Does anyone want to comment? Any discussion? All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1590, authorizing planning steps for acquisition under Suffolk County Open Space Farmland Preservation Hamlets Park Puglisi property, Village of Amityville. (Mystal)

LEG. MYSTAL:

Motion to approve.

P.O. LINDSAY:

Motion to approve.

LEG. HORSLEY:

Second.

D.P.O. VILORIA • FISHER:

And on the motion, Legislator Losquadro and I have to remember not to start singing about paving the parking lot.

P.O. LINDSAY:

We have a motion and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1604 A is the bonding resolution appropriating funds in connection with Brownfields pilot project.

MR. SABATINO:

Mr. Chairman, there's a problem with the bond resolution. Please table it.

P.O. LINDSAY:

Okay.

D.P.O. VILORIA • FISHER:

Motion to table.

P.O. LINDSAY:

Motio to table by Legislator Viloría•Fisher. I'll second. All in favor?
Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1607, amending the adopted 2006 operating budget and transfer funds from fund 477 Water Quality Protection amending the 2006 capital budget and program and appropriating funds in connection with storm water remediation to Long Island Sound at County Road 48, Middle Road in the vicinity of Hashamomuck Beach. (County Executive) Do we have a motion?

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

Who made the motion?

D.P.O. VILORIA • FISHER:

Ed. Second.

P.O. LINDSAY:

Second. Any questions? All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

LEG. ROMAINE:

Could the Clerk reflect me as a co•sponsor on that resolution? And I personally want to commend the County Executive, his effort in this regard. Thank you.

P.O. LINDSAY:

IR 1610, authorizing acquisition of land under the Suffolk County Save Open Space Farmland Preservation and Hamlet Parks Fund, Bylloft property, Fresh Pond addition, Town of Huntington. (County Executive) Do I have a motion?

LEG. STERN:

Motion.

P.O. LINDSAY:

Motion by Legislator Stern, second by ••

LEG. HORSLEY:

I'll second it.

P.O. LINDSAY:

Second by Horsely. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1611, authorizing acquisition of land under the Suffolk County Save Open Space Farmland Preservation and Hamlet Parks Fund Open Space Component, Gilbert/Blydenburgh property, Forge River Watershed. (County Executive)

LEG. BROWNING:

Motion.

P.O. LINDSAY:

Motion by Legislator Browning, second by Legislator Vilorio•Fisher. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

IR 1612, authorizing the acquisition of land under the Old Suffolk County Drinking Water Protection Program, Montagna property, Fresh Pond addition, Town of Smithtown. (County Executive)

LEG. NOWICK:

Motion.

P.O. LINDSAY:

Motion by Legislator Nowick, second by Legislator Losquadro. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1613, authorizing the acquisition of land under the Old Suffolk County Drinking Water Protection Program, Mastic Homes LTD property, Santapogue Creek, Town of Babylon.

LEG. HORSLEY:

I'll make the motion.

P.O. LINDSAY:

Motion by Legislator Horsley, second by Legislator Mystal. A lot of acquisitions in Babylon. What you guys doing over there?

LEG. HORSLEY:

But they are this big.

P.O. LINDSAY:

All in favor? Opposed? Abstentions?

LEG. ROMAINE:

And no one from the east end is voting against them.

MR. LAUBE:

18.

LEG. MYSTAL:

They're about the size of a table.

LEG. HORSLEY:

You're quite a guy, Ed.

LEG. MYSTAL:

Because you buy 166 acres. We buying point zero acres. That's the difference.

LEG. NOWICK:

Don't let them talk, Bill. Keep going.

P.O. LINDSAY:

Okay. IR 1561, approving the reappointment of Cristina C. Bonuso as a member of Suffolk County Youth Board coordinating Council representing legislative District number 5. (County Executive)

D.P.O. VILORIA•FISHER:

Motion.

P.O. LINDSAY:

Motion by Legislator Viloría•Fisher, second by Legislator Mystal. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

IR 1569, amending the 2006 adopted operating budget to reallocate funding within the Suffolk County Department of Health Services Division of Patient Care Service to match funding as requested by New York State Department of Health. (County Executive). I'll make the motion. Do we have a second?

LEG. MYSTAL:

Second.

P.O. LINDSAY:

Second by Legislator Mystal. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1575, creating the Suffolk County Health Care Task Force. (Romaine).

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

Motion by Legislator Romaine.

LEG. COOPER:

Motion to table.

P.O. LINDSAY:

Motion to table by Legislator Cooper. Do I have a second to either motion?

LEG. D'AMARO:

I'll second to table.

P.O. LINDSAY:

Legislator D'Amaro makes a second to the tabling and Legislator Nowick makes a second to the approval motion. The tabling motion goes first. On the motion, Legislator Schneiderman.

LEG. SCHNEIDERMAN:

I've worked pretty hard with the County Executive's Office to come up with an agreeable bill here. I know Mr. Sabatino is sitting there and we had multiple conversations and made many changes to satisfy the administration. And I'm hoping this bill could move forward. It is now a county•wide bill, though it does provide for an east end committee and other potential sub committees. And I think it's an important bill. We'd like to get going. We've waited very patiently for this point. And we'd like to not wait any further. And I would just ask the sponsor if he'll reconsider that motion to table so we can move this bill forward.

MR. SABATINO:

Mr. Chairman, if I could just respond. It is true, Legislator Schneiderman has made a good faith effort to work with the administration. And we've made great progress. Three out of the four points that we had asked for changes on, the Legislator did accommodate us with. On the final point I think it's really a philosophical dispute.

The last component that we differed on was that the County Executive preferred to see the task force do a county•wide assessment and study as opposed to breaking it into the sub committee on the east end versus the west end. Legislator Schneiderman to his credit, in fairness to him, did state that that was important for him. And I think that's really the stumbling block. The County Executive just had a different view on that one component. The other changes we did ask for though were accommodated.

LEG. SCHNEIDERMAN:

If I may, it is a county•wide committee doing a county•wide assessment. But within that assessment there can be other sub regions that advise the

overall committee based on specific needs of regions be they geographical or demographical in nature. And it's very difficult for people on the east end to come meetings in Hauppauge and to bring the kind of expertise to the table that we need. And this gives us that ability to advise the larger committee on very regional specific issues. And I know that we had gone back and forth on this. And I thought my understanding was that the administration could live with it in this form as long as it was a county•wide committee with these various potential sub committees.

MR. SABATINO:

In fairness to you, you did work with us. And you and I had that discussion and conversation on that last point. It really came down to we just couldn't find the language that was consistent with your desire to have the sub components east and west and the County Executive's view that it should be county•wide perspective. So, I mean, it's really •• it's a philosophical point at this juncture.

P.O. LINDSAY:

Legislator Romaine.

LEG. ROMAINE:

Could I ask our Chief Deputy County Executive a question or two. I know that on this bill of which I'm a sponsor and co•sponsor with Legislator Schneiderman, we attempted to work with the County Executive for a county•wide perspective. The report that will be made will be a county•wide report. The only thing that Legislator Schneiderman, and I concurred with him on that, is that there could be sub committees within this. And one of the them could deal with the east end, one of them may deal with hospitals, one of them could deal with public health nursing, one of them could deal with a number of other issues; but that's up to, really, the committee to do. But whatever report would be assembled would be a county•wide report. This is a county•wide report. This is a county•wide commission. The fact that there might be a sub committee that might just look at east end doesn't take away from the fact that would be incorporated within a county•wide report.

Let me ask you this, if I may. I understand the language. And obviously

we're looking to work with the County Executive in a bipartisan spirit. What language would you want to see that would still allow in the commission report •• I would assume that we haven't cut •• haven't taken a saw, haven't stood astride Suffolk and cut off the five eastern towns yet, what language would you want to see that would still allow the delivery of health care services as part of an overall county•wide report, what language would you want to see that would still permit that to be examined that we could still accomplish that goal as part of an overall county•wide report? I mean is there language that you could suggest, sir? And I know you're brilliant and you probably can.

MR. SABATINO:

I would like to find language that could bridge the gap because I think we've come 75% of the way. And I do appreciate the effort that Legislator Schneiderman's made in good faith; clearly good faith here to try to •• to try to get to a final product. I've been caught between the •• basically the two competing philosophies. The County Executive's view is that to the degree or to the extent that you start to talk about an east end and a west end committee or sub•committee, his view is that that creates this perception of east versus west. I would suggest this; that if we could table it one more cycle, just have a little more patience with my office, I'll make one more effort to try to bridge that gap between the sponsor of the bill and the County Executive because we do want to have a piece of legislation that achieves the goal. It's just we're down to that final, you know, knitty gritty wording. And I think we can get there, but I'm going to have to give it a little bit more effort, I think.

LEG. ROMAINE:

Well, I have always found you to be an honorable individual so we'll concede to the tabling for one session. But what we would like to see from the Executive is language that would meet our goal that the east end is not going to be neglected in a county•wide report; that no one is going to stand astride Suffolk with a saw and cut the east end off from the rest of the county; that we are still part of Suffolk County and that some of the needs that we have out there will be looked at in this report. So we will table this and hopefully you'll use your skills and we'll work together to craft a message and I'll ••

MR. SABATINO:

I understand your point. I think it's really at the juncture of just some nuances. And if we can have one more shot to send you some language, I think we can do it.

LEG. SCHNEIDERMAN:

I'll support the tabling, but I want to be clear. The problem I have is that, you know, my district, you know, where I live is an hour and forty minutes from Hauppauge. And we have a lot of professionals in the health care industry who we need to have at the table as part of this conversation. It is too much to ask that they frequently make that trip. And so I want to be able to hold meetings out on the east end be it Riverhead, Southampton, Southold and have that •• those •• that body of recommendations go up to this larger committee and be part of their discussions.

MR. SABATINO:

Well, if it's as simple as that, then if I can just make a suggestion off the top of my head which would be to write into the statute that •• we've done this in the past with other pieces of legislation that at least one hearing will be held, you know, here, there, another place. You can make it north, south, east, west and you can hearings, but to get away from the concept that there's •• from the County Executive's perspective, that there's a separate sub committee or group that's only got an east end versus a west end perspective, if it's geographphy in terms of where the meetings are going to be held, that's relatively simple. I can do that simply by writing in provisions that at least •• if you decide on you're going to have eight hearings, you can have one in the north, one in the south, one in mid •county, one in the east, one in the west, north fork, south fork. That will be easy to do.

LEG. SCHNEIDERMAN:

It's beyond that. It's not just coming to a public hearing and telling somebody who's a decision making body what they think. I want those individuals sitting at the table as part of the deliberative process. And if we can find a way to do that ••

P.O. LINDSAY:

Why don't you keep talking, all right? So we can move on? All right. Keep talking, but not here. You know, work it out. Work it out.

LEG. SCHNEIDERMAN:

That's what I'm looking for. And I don't think that's an unreasonable request.

P.O. LINDSAY:

Next thing you'll be arguing over the size of the table, you know, whether it's round or square.

LEG. ROMAINE:

We're still here. We're still part of Suffolk County. Peconic County has not come forward yet.

P.O. LINDSAY:

Okay. We have a motion to table and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

17. Rick's not here. Oh, there he is. 18.

P.O. LINDSAY:

Okay. 1578 approving the appointment of Benjamin J. Luft, MD as a member of the Suffolk County Board of Health. (County Executive)

I'll make the motion, second by Legislator Losquadro. All in favor?

LEG. ALDEN:

On the motion.

P.O. LINDSAY:

On the motion Legislator Alden.

LEG. ALDEN:

And these comments would be the next two. We're removing or replacing •• I'm not sure of the concept here. We had two people who were serving in

the capacity.

P.O. LINDSAY:

We've had three people that are holdovers. Their term has run out a longtime ago. And two of the three were being replaced at this time.

LEG. ALDEN:

Okay. They know they're being replaced?

P.O. LINDSAY:

We've informed them by letter.

LEG. ALDEN:

Okay.

P.O. LINDSAY:

Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

17. Vivian.

P.O. LINDSAY:

1579, approving the appointment of David K. Parkinson as a member of the Suffolk County Board of Health. (Lindsay) I'll make a motion.

Is there a second? Second by Legislator Eddington. All in favor? Opposed? Abstentions?

LEG. ALDEN:

Abstain.

P.O. LINDSAY:

Abstain by Legislator Alden.

MR. LAUBE:

17.

P.O. LINDSAY:

1583, directing the Department of Health Services to conduct a health assessment of Crab Creek, Shelter Island for dredging purposes. (Romaine) Legislator Romaine.

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

Motion by Legislator Romaine.

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

Second by Legislator Losquadro. And a I'm little confused. Why are we asking Health Services to conduct a dredging survey or dredging purposes?

LEG. ROMAINE:

I could answer that, Mr. Presiding Officer.

P.O. LINDSAY:

Well, that's why I'm asking the question. I mean wouldn't that be something that we would ask Public Works?

LEG. ROMAINE:

No. In this particular case we're not looking to dredge for navigational purposes. We're looking to dredge an interface because what has happened is the interface into this creek has narrowed so considerably that there's not a tidal flow. And what we're beginning to see is the creek beginning to die off because of the lack of tidal flow. Usually what you do in this particular case is you do a study to determine what's the best purpose to get the tidal flow and restore the creek to health. This was done for Mud Creek in ••

P.O. LINDSAY:

I just •• just •• let me just stop you for a minute just in the interest of

time. I was just informed by Counsel that DPW has asked health to do this assessment which •• okay. Okay, cut it off. We have a motion. We have a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

Sorry to cut you short, Legislator Romaine. It's just the night is getting long. **1657, establishing a policy requiring the use of mercury free vaccines in County Health Centers. (Stern)** Legislator Stern.

LEG. STERN:

Motion to approve.

P.O. LINDSAY:

Second by Legislator Eddington. Any comments. All in favor? Opposed? Abstentions?

LEG. ALDEN:

Abstain.

P.O. LINDSAY:

Abstain, Legislator Alden. Jesus, it's getting late.

MR. LAUBE:

17.

LABOR, WORKFORCE AND AFFORDABLE HOUSING

P.O. LINDSAY:

1075, to evaluate county properties for workforce housing purposes. (Stern)

LEG. ALDEN:

I'm going to make a motion to table. There's a technical correction we have to make on this one also.

P.O. LINDSAY:

I'll second the tabling. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1560, amending the Suffolk County classification and salary plan in connection with new position title in the Department of Public Works Senior Industrial Waste Pre-treatment Technician. (County Executive) I'll make the motion. I don't even want to ask what he does. He probably shovels the sludge. Do I have a second? Second by Legislator Eddington.

LEG. CARACAPPA:

On the motion.

P.O. LINDSAY:

On the motion, Legislator Caracappa.

LEG. CARACAPPA:

What's the grade, Gail?

MS. VIZZINI:

23.

LEG. CARACAPPA:

23? And we're abolishing what?

MS. VIZZINI:

20.

LEG. CARACAPPA:

Thank you.

P.O. LINDSAY:

Any other questions? All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1571, amending the 2006 operating budget to create one new position within the Department of Health Services, Division of Environmental Quality. (County Executive) I'll make a motion. Is there a second?

LEG. HORSLEY:

Second.

P.O. LINDSAY:

Second by Legislator Horsely. Is there anybody on the issue? Legislator Kennedy, you want to talk?

LEG. KENNEDY:

Again, on the motion I just want to ask a quick question. What is the position and what grade?

MS. VIZZINI:

It's a well driller I at a grade 20.

LEG. KENNEDY:

That's a high grade. Works for me. Thank you, Mr. Chair.

P.O. LINDSAY:

All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1601, authorizing the sale of county•owned real property pursuant to a 72•H of the General Municipal Law, Town of Islip, affordable housing purposes. (County Executive) Legislator Alden, you want to make this motion?

LEG. ALDEN:

Motion.

P.O. LINDSAY:

Motion by Legislator Alden. Legislator Montano, you want to second?

LEG. MONTANO:

Yes.

P.O. LINDSAY:

All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1626, transferring and appropriating living wage contingency funds to the Federation of Organizations for the New York State Mentally Disabled, Incorporated Respite Fee Subsidy. (County Executive).
I'll make a motion. Anybody second?

D.P.O. VILORIA•FISHER:

Second.

P.O. LINDSAY:

Second by Legislator Viloría•Fisher. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

PARKS AND RECREATION

P.O. LINDSAY:

Parks and recreation. 1528, authorizing use of Smithtown County Park property by Mastic Beach Ambulance Company for "Help Us Save Our Program." (Browning) Legislator Browning.

LEG. BROWNING:

Motion.

P.O. LINDSAY:

So, who's going to second? Legislator Eddington second. All in favor? Opposed? Abstentions?

P.O. LINDSAY:

18.

MR. LAUBE:

1529, authorizing the use of Smith Point County Park property by Mastic Beach Fire Department Incorporated for the Fourth of July fund drive. (Browning) Legislator Browning. Eddington is the second. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1577, appointing a member of the Long Island Maritime Museum Board of Trustees George P. Hafele. (Lindsay) I'll make the motion.

LEG. BARRAGA:

Second.

P.O. LINDSAY:

Second by Legislator Barraga. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1580, reappointing Carl H. Luecke as a member of Suffolk County Vanderbilt Museum Commission, Trustee number 7. (Cooper)

Legislator Cooper, what's your pleasure?

LEG. COOPER:

What are we on?

P.O. LINDSAY:

Trustee, Vanderbilt.

LEG. COOPER:

Motion to approve.

P.O. LINDSAY:

Motion. Do I have a second?

LEG. D'AMARO:

Second.

P.O. LINDSAY:

Second by Legislator D'Amaro. All in favor? Opposed? Abstentions? You want to check his attendance? I'm sorry.

LEG. ALDEN:

Did they they do it •• I don't remember asking. Good, thanks.

MR. LAUBE:

18.

P.O. LINDSAY:

1581, authorizing use of Smith Point County Park property in 2006 by the Mastic•Moriches Shirley Community Library Family Literacy Project. (Browning) Legislator Browning, motion; second by Legislator Eddington. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1586 A, a bonding resolution amending the 2006 capital budget and program appropriating funds in connection with the planning and improvements of Raynor Beach County Park. (Kennedy) Do I have a motion?

LEG. KENNEDY:

I make a motion, Mr. Chairman.

P.O. LINDSAY:

Motion by Legislator Kennedy. Legislator Alden makes the second. On the question, didn't we just finish putting over \$2 million into Raynor Beach Park?

LEG. KENNEDY:

I'll make reference to the discussion we had earlier, Mr. Chair, when we were involved with the capital budget. And the Parks Commissioner actually submitted a add•on list, if you will, or a punch list, I think, of about 660. The pleasure of the body was to go ahead and not advance the 550,000. However, I believe, and I'm going to defer to BRO, this represents 100,000 that would fund sidewalks for the front of the park which apparently were omitted from the \$2 million construction project. That in my opinion is something that •• and the community has asked for it just because kids need to be able to walk safely to the park.

P.O. LINDSAY:

All communities ask for everything. Why wasn't this included in the capital program last year?

LEG. KENNEDY:

Well, Mr. Chair, I think last year we were still dealing with attempting to get a contractor •• a second contractor to go ahead and perform. To be candid with you, I was unaware that this was not involved but this project does precede my time in this austere body, sir.

P.O. LINDSAY:

Legislator Mystal.

LEG. MYSTAL:

This is for BRO. I have a note here saying today this expenditure •• without us adding the \$110,000 we are asking for, there's still somewhere \$800,000 left from the 1755 account?

MS. VIZZINI:

I can check that. We're probably talking about prior appropriations which are targeted for some of the improvements. I'll check that for you.

LEG. KENNEDY:

Again, if I can reply through the Chair, my understanding was that the capital project that was used as a funding vehicle for Raynor for all intended and purposes was tapped out. There was just a minor balance. And this was part of the list that came through both Parks and DPW. And again this is really something that's just very pragmatic to allow children safely to get to the parks. Ronkonkoma Avenue is a very busy ••

LEG. MYSTAL:

My question to echo the Presiding Officer •• I know we just spent about \$2 million on that park. And I can't get \$40,000 for a park in North Amityville. And now I'm going to put \$2 million in ••

LEG. COOPER:

I'll make a motion to table.

LEG. MYSTAL:

Thank you.

LEG. KENNEDY:

You know, Mr. Chairman, I guess on the motion I would just go ahead and say this is something where, you know, if it's legitimately a question of whether or not there is sufficient funding sitting there, I'll defer. But it was represented to me that we do not have the money and, again, I think this is something that's really very self-evident. This is a safety matter as far as being able to go ahead and allow children and family's access in a reasonable and as quick a fashion as possible. I don't know why it wasn't included in the original project.

P.O. LINDSAY:

Legislator Caracappa.

LEG. CARACAPPA:

I apologize for monopolizing time today. But question to the sponsor having worked on that park rehabilitation for almost ten years with Legislator Lindsay and many others, the sidewalk you're talking about along Ronkonkoma Avenue town road •• Ronkonkoma Avenue is a town road. But the sidewalk would basically be an improvement that townships would make. And I know they've met with you and members of the community. Where are they now and have they agreed to be of part of maybe deferring the cost of the sidewalks seeing that we are going to be running it from all along the town road.

LEG. KENNEDY:

Through the Chair? As a matter of fact I know that •• and I defer to my colleague Legislators who worked on this park, as I had said before, it's been done very nicely. And as a matter of fact by and large the community's very pleased. This would be for Ronkonkoma Avenue that fronts the park only. And I believe that the Town of Brookhaven has indicated that they would assist in doing the balance of the extension for the sidewalks both before and after in order to do the continuum that the community is seeking. This is only for that segment of the park as it physically fronts Ronkonkoma avenue.

LEG. CARACAPPA:

So they're willing to do north of it and south of it but not the, I guess, the

one hundred foot entrance of our park.

LEG. KENNEDY:

This is, you know, basically what was •• came to me through DPW and Parks. Again, this is way late and I ••

LEG. CARACAPPA:

We'll discuss it at another time; not on the record. Thank you.

LEG. HORSLEY:

Second the motion to tabling.

P.O. LINDSAY:

Legislator Mystal, you ••

LEG. MYSTAL:

I just have a point, Legislator Kennedy, is that it seems to me that the towns are abdicating their duty in terms of taking care of certain things. We do care, you know, and we do give money to •• lot of money to different towns. But I think for the piece of sidewalk we're taking about ••

LEG. KENNEDY:

I will make the contact. I will make the contact and I'll come back and let's look at in two weeks.

LEG. MYSTAL:

And Gail, do you have an answer for me?

MS. VIZZINI:

I can't confirm that my records indicate that we've expended most of what we've appropriated.

P.O. LINDSAY:

On the original two million •• two, one or whatever it is, is that what you're talking about?

MS. VIZZINI:

2.3 million we appropriated.

P.O. LINDSAY:

We appropriated and we don't have the other \$100,000 to do this; right?

MS. VIZZINI:

Well, we expended two million. We encumbered 266,000. We have \$32,000 available according to the integrated financial system.

P.O. LINDSAY:

See, my point is simply this. That if we want to implement a new capital program in the middle of the year, you know, if there's a proper offset or you know •• I just •• just because someone, you know, the community comes and wants something additional after just spending all this money, why don't we table it and we'll look into it further.

LEG. KENNEDY:

All right.

P.O. LINDSAY:

Motion to table and second. All in favor? Opposed? Abstentions?

LEG. ROMAINE:

Opposed.

MR. LAUBE:

17.

P.O. LINDSAY:

1599 A, amending the 2006 capital budget and program and appropriating funds in connection with the construction of improvements of the Cupsogue County Park. (County Executive) I'm being informed it has to be tabled. We don't have the bonding resolution. I'll make the motion to table, second by Legislator Mystal. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1618 A, appropriating funds in connection with restoration of West Neck Farm, Huntington.

LEG. COOPER:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator Cooper. Is there a second. Do I have a second? Second by Legislator Stern. Can we have an explanation what the project is? Someone, the sponsor, Gail, Counsel?

LEG. COOPER:

I'll defer to Counsel.

P.O. LINDSAY:

Okay.

MR. NOLAN:

It's \$100,000 for the restoration of West Neck Farm in Huntington.

P.O. LINDSAY:

No, no, you're one too many. Cupsogue County Park. 1599 A, we're on.

MR. LAUBE:

That was tabled.

P.O. LINDSAY:

Oh, we tabled that. I'm sorry. You're right. 1618. Now, I'm confused. West Neck Farm. You're right. Huntington.

MS. VIZZINI:

It's planning for improvements at Coindre Hall.

P.O. LINDSAY:

Coindre Hall.

LEG. ALDEN:

Oh, that thing sucked up some money.

P.O. LINDSAY:

Okay. We have a motion and a second. It's a bonding resolution. On the question. Roll call.

(* Roll called by Mr. Laube • Clerk*)

LEG. COOPER:

Yes.

LEG. STERN:

Yes.

LEG. ROMAINE:

No.

LEG. SCHNEIDERMAN:

Pass.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

Stay consistent on Coindre. No.

LEG. LOSQUADRO:

No.

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Pass.

LEG. BARRAGA:

No.

LEG. KENNEDY:

No.

LEG. NOWICK:

No.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. D'AMARO:

Yes.

D.P.O. VILORIA • FISHER:

Yes.

P.O. LINDSAY:

Yes.

LEG. SCHNEIDERMAN:

Motion to table.

P.O. LINDSAY:

You made a motion to table? Is there a second on the tabling? No motion, no second to table. You want to cast your vote on the approval?

LEG. SCHNEIDERMAN:

No.

LEG. COOPER:

I'll make a motion to table.

P.O. LINDSAY:

You make a motion to table?

LEG. COOPER:

Because we need 12 votes.

P.O. LINDSAY:

Okay. We got a motion to table. And we have a second now. You made the motion to table. You made the second.

LEG. COOPER:

Okay.

P.O. LINDSAY:

Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Just a second. Motion to table was Legislator Cooper.

P.O. LINDSAY:

Legislator Cooper seconded it.

MR. LAUBE:

18.

P.O. LINDSAY:

And who's opposed? No, no, no. We got opposition. Roll call.

(* Roll called by Mr. Laube • Clerk*)

LEG. SCHNEIDERMAN:

To table?

MR. LAUBE:

This is to table.

LEG. COOPER:

Yes to table.

LEG. ROMAINE:

No.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

No.

LEG. LOSQUADRO:

No.

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

No.

LEG. BARRAGA:

No.

LEG. KENNEDY:

No.

LEG. NOWICK:

No.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

D.P.O. VILORIA • FISHER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

11.

P.O. LINDSAY:

1619 A, appropriating •• it's a bonding resolution appropriating funds in connection with the restoration of Smith Point County Park.

Legislator Browning makes the motion, Eddington seconds the motion.

Anybody on the issue? Okay. Roll call.

(* Roll called by Mr. Laube • Clerk*)

LEG. BROWNING:

Yes.

LEG. EDDINGTON:

Yes.

LEG. ROMAINE:

Pass.

LEG. SCHNEIDERMAN:

Pass.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

D.P.O. VILORIA • FISHER:

Yes.

P.O. LINDSAY:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

MR. LAUBE:

18.

P.O. LINDSAY:

Same motion, same second, same vote.

1385 A, a bonding resolution amending the 2006 capital budget and program appropriating funds in connection with the police radio tower sites. (County Executive) Legislator Losquadro, do you want to make this motion.

LEG. LOSQUADRO:

I will make the motion to approve. And I just want to confirm through Counsel or through the County Executive's representative that the language

contained therein makes the \$65,000 in planning for the Rocky Point Tower site now moot, that 1240 has already approved. I believe that the language contained within 1385 says that. If I can just confirm that, please.

MR. NOLAN:

I don't think it makes the planning money moot. But I discussed this with Budget Review and I'll defer to them on whether or not there's any ••

LEG. LOSQUADRO:

Exactly how the language ••

MS. VIZZINI:

Are you talking about the 35,000 for ••

LEG. LOSQUADRO:

65,000. Mr. Sabatino, maybe if you could comment on that.

MR. SABATINO:

I'm sorry. What was the question? I apologize.

LEG. LOSQUADRO:

This is on 1385, the planning •• appropriation funds in connection with the police radio tower sites. I know that we had agreed there was some language put in there about 1240. And I just want to make sure that that language would not in any way interfere with the appropriation for the monies out of 1240; that this was not redundant in any way.

MR. SABATINO:

The language •• the language actually is out of the last version. There was a corrected copy filed on the deadline on June ••

MS. VIZZINI:

June 5th.

MR. SABATINO:

June 5th, which deleted that language inadvertently quite frankly. But in any event it's not a problem because that language is not there. We now

have •• the two bills together deal with Rocky Point, the Veterans Administration and the Lloyd Harbor site. There's no conflict, there's no overlap, there's no superseding language. There two together deal with the entire north shore problem with all three sites.

LEG. LOSQUADRO:

And 1240 deals with ••

MR. SABATINO:

1240 deals with Rocky Point by itself with the right SEQRA determination, the right dollar amount. The Water Authority's now taking on the construction and the obligation for doing that the ••

LEG. LOSQUADRO:

Site improvements.

MR. SABATINO:

Exactly.

LEG. LOSQUADRO:

Right.

MR. SABATINO:

The second bill 1385 deals with getting Lloyd Harbor and getting the Veterans Administration's radio towers back up and running with an appropriation of money with elimination of the sunset clause that otherwise would have knocked out the Lloyd Harbor site before the end of the year and the proper SEQRA determination. So, we're all together. North Shore will get back up on a collected basis. And thanks for your help with the bill.

P.O. LINDSAY:

All set? Okay. Roll call.

MR. LAUBE:

You need a second.

P.O. LINDSAY:

Second by Legislator Eddington.

(* Roll called by Mr. Laube • Clerk*)

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes. And co•sponsor please.

D.P.O. VILORIA•FISHER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

18.

P.O. LINDSAY:

Okay. **IR 1516 A, bonding resolution amending the 2006 ••**

MR. LAUBE:

No. 1385, same second, same vote?

P.O. LINDSAY:

Oh, I'm sorry. 1385, same motion, same second, same vote.

1516 A, bonding resolution 2006 capital budget program appropriating funds in connection with the flashover simulator at the Vocational, Education and Extension Board. (Caracappa) Legislator

Caracappa made the motion. Do I have a second? Losquadro made the second. Any questions? Roll call.

(* Roll called by Mr. Laube • Clerk*)

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

D.P.O. VILORIA • FISHER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

17.

P.O. LINDSAY:

Same motion, same second, same vote. 1516.

1562, accepting and appropriating a grant in the amount of \$25,000 from the New York State Division of Criminal Justic Services for the Suffolk County Police Department's Second Precinct Community Support Program 2006 with 75% support. (County Executive)

Motion by Legislator Caracappa. Do I have a second? Second by Legislator Nowick. All in favor? Opposed? Abstentions?

MR. LAUBE:

17.

P.O. LINDSAY:

1598, authorizing the Suffolk County Police Department to transfer a decommissioned sector car to the Kings Park Heritage Museum.

(County Executive) Legislator Nowick makes the motion, second by Legislator Eddington. All in favor? Opposed? Abstentions?

MR. LAUBE:

17.

P.O. LINDSAY:

1615 A, bonding resolution appropriating funds in connection with the planning of the construction of the Fourth Precinct. (County

Executive) Legislator Nowick? All right. We got to table it. No bond available yet. We have a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

To table?

P.O. LINDSAY:

Table.

MR. LAUBE:

17.

P.O. LINDSAY:

Okay. **1624 A, a pending bond resolution appropriating additional funds in connection with the purchase of a police helicopter.**

(County Executive). Legislator Eddington makes the motion. Do I have a second? Second by Legislator Schneiderman. Roll call.

(* Roll called by Mr. Laube • Clerk*)

LEG. EDDINGTON:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. ROMAINE:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

D.P.O. VILORIA • FISHER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

18.

P.O. LINDSAY:

Just an observation. When we saw off the five eastern towns, we can fly there with the helicopter. Same motion, same second, same vote. Okay? You got it.

PUBLIC WORKS AND TRANSPORTATION

P.O. LINDSAY:

1589, to evaluate the feasibility of establishing co•generation at the Yaphank Skilled Nursing Facility. (Alden) Legislator Alden, what's your pleasure? Motion to approve. I'll second. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

LEG. ROMAINE:

List me as a co•sponsor, please.

LEG. SCHNEIDERMAN:

I'll take a co•sponsor.

P.O. LINDSAY:

1591 A, amending the 2006 capital budget and program and appropriating funds in connection with the purchase of a new booster pump. Legislator Romaine?

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

Motion by Legislator Romaine.

LEG. BROWNING:

Second.

P.O. LINDSAY:

Second by Legislator Browning.

LEG. EDDINGTON:

On the motion. I believe this was •• we discussed this for the capital budget. I don't know why it was excluded. I thought we had included that.

P.O. LINDSAY:

I do not know why it wasn't included either to tell you the truth because I thought maybe •• Legislator Caracappa, do you recall?

LEG. CARACAPPA:

We're using this year's funds as an offset.

P.O. LINDSAY:

Yeah, but we never even put it in '07 according to Budget Review. I thought we had put it in '07.

MS. VIZZINI:

We have this which addresses it in 2006 using the incinerator as the offset.

P.O. LINDSAY:

Legislator Romaine.

LEG. ROMAINE:

The risk of defeating this bill •• some explanation. At the Public Works Committee, the Public Works Commissioner testified that this pump would pay for itself within a year; that this pump would allow the County another two to 3,000 feet in circumference where to put the dredge spoils, giving them wider use; that this would save the county money in the very short run and long run because the the county dredge could be used for more projects as opposed to contracting out. And it would pay for itself in less than a year was the testimony. I think it's worth while. It will give us more opportunities.

P.O. LINDSAY:

Legislator Montano.

LEG. MONTANO:

Yeah. I just had a question because this came up in Public Works. And the question was whether or not this was in the 2006 capital budget. And the answer was that it was not. And my question at Public Works was whether or not this was discussed and asked to be included in the 2007 capital budget. My understanding was that it was not. Now was it or was it not an issue of discussion in the 2007 omnibus committee? Because know I'm confused.

LEG. ROMAINE:

It was discussed at the Public Works Committee.

LEG. MONTANO:

No, I understand it was discussed because the bill was amended from the original five million that you had included. And the amendment came in the day before the committee, if I understand correctly.

LEG. ROMAINE:

We filed it sooner than that but the committee got it that day.

LEG. MONTANO:

Okay. But my question is whether or not it was •• well, the first part of the question was whether or not it was in the 2006 operating budget •• I mean capital budget. The answer was no. My question was whether or not it was a topic of discussion during the omnibus committee counsel budget process?

LEG. ROMAINE:

I'm not on that committee. I am on Public Works. And what was discussed is purchasing it this year. By the time they had purchased the pump, it would be the end of the year and they could address the winter•spring session •• season of dredging in 2007. If we put it in the 2007 capital budget, they probably would not be able to address that •• the dredging ••

LEG. MONTANO:

Ed, I understand that. But I'm just asking you •• you know, we keep going back to the merits of the project which I don't dispute. We keep going back to whether or not the Commissioner liked the project, whether or not it pays for itself. But the question I'm asking specifically is whether or not this was something that was brought before the omnibus committee for the capital budget in ••

LEG. ROMAINE:

I'm not on it.

LEG. MONTANO:

Either through you or anyone else? Because •• well, let me ask Gail. Gail, was this a topic of discussion during the omnibus committee process? And I'll take a simple yes or no on that.

MS. VIZZINI:

Not to the extent that Budget Review was directed to do a resolution. Other than the direction at the committee meeting from Legislator Romaine.

LEG. ROMAINE:

Which committee meeting?

MS. VIZZINI:

It must have been the capital hearing for Public Works when we were discussing the capital program.

LEG. MONTANO:

Okay.

MS. VIZZINI:

And for your information the County Executive does have this in the 2007/2009 proposed program but in subsequent years.

LEG. MONTANO:

Okay. Thank you.

MS. VIZZINI:

In 2011.

P.O. LINDSAY:

Roll call.

(* Roll called by Mr. Laube • Clerk*)

LEG. ROMAINE:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

No.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Abstain.

LEG. MYSTAL:

Abstain.

LEG. STERN:

Abstention.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Abstain.

D.P.O. VILORIA • FISHER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

13.

P.O. LINDSAY:

1591, same motion, same second, same vote.

1603 A, appropriating funds in connection with the replacement/cleanup of fossil fuel, toxic and hazardous material storage tanks. (County Executive) Do I have a motion? Legislator Eddington makes the motion. Second? I'll make the second. No discussion. Roll call.

(* Roll called by Mr. Laube • Clerk*)

LEG. EDDINGTON:

Yes.

P.O. LINDSAY:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

D.P.O. VILORIA • FISHER:

Yes.

MR. LAUBE:

18.

LEG. ROMAINE:

Would the clerk reflect me as a co•sponsor on this, please. Thank you.

P.O. LINDSAY:

Same motion, same second, same vote.

1605 A, bonding resolution amending the 2006 capital budget and program appropriating funds through the issuance of serial bonds for the improvements of Suffolk County Sewer District number 11 in Selden. (County Executive) Legislator Losquadro makes the motion. Legislator Caracappa makes the second. Roll call.

(* Roll called by Mr. Laube • Clerk*)

LEG. LOSQUADRO:

Yes.

LEG. CARACAPPA:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

D.P.O. VILORIA • FISHER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

18.

P.O. LINDSAY:

Same motion, same second, same vote.

1606, transferring assessment stabilization reserve funds to the Capital Fund amending 2006 operating budget, amending the 2006 capital budget and program and appropriating funds in Suffolk County sewer district number 15 Nob Hill. (County Executive) This is not a bond so we don't need a roll call. Right? I'll make the motion. Legislator Browning, you want to second the motion?

LEG. BROWNING:

Yes, I do.

P.O. LINDSAY:

Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1608, authorizing the purchase of up to four paratransit vans for its Senior Citizens Transportation Program related equipment on behalf of the Town of Smithtown amending the 2006 capital program. (County Executive)

LEG. NOWICK:

Motion.

P.O. LINDSAY:

Legislator Nowick makes the motion.

LEG. KENNEDY:

Second.

P.O. LINDSAY:

Kennedy seconds. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1609, accepting a cleanwater/clean air bond act grant from the New York State Department of Environmental Conservation and authorizing execution of agreements to accept grants to improve sewer district number 1, Port Jefferson. (County Executive)

LEG. LOSQUADRO:

Motion to approve.

P.O. LINDSAY:

Motion by Legislator Losquadro, second by Legislator Eddington. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1616, transferring escrow account revenues funds to the capital fund, amending the 2006 capital budget and program and appropriating funds for improvements and/or rehabilitation of existing facilities in the Suffolk County sewer district number 3, Smithtown. (County Executive)

LEG. ALDEN:

Motion by Legislator Alden, second by Legislator Losquadro. All in favor?
Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1617, amending prior capital authorized appropriation for storm remediation improvements County Road 94 A, Town of Smithtown. (County Executive) Southampton, excuse me. Legislator Schneiderman makes the motion, second by Legislator Romaine. All in favor? Opposed? Abstention.

MR. LAUBE:

18.

P.O. LINDSAY:

1620, amending prior capital authorized appropriation for storm remediation improvements County Road 96, Great East Neck, Road, Town of Babylon. (County Executive) Legislator Mystal, second by Legislator Horsley. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1621, transferring assessment stabilization reserve funds for the capital fund amending the 2006 capital budget and program and appropriating additional funds for the construction of marine boat pump for the facility of Suffolk County sewer district number three.

Motion by Legislator Eddington, second by Legislator Barraga. All in favor?
Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1631, amending resolutions numbers 492•1999, 1299•2000, 516 •2001 and 1158•2005 for participation in engineering in connection with the reconstruction of bridge on County Road 83, North Ocean Avenue, over the Long Island Expressway. (County Executive)

Legislator Eddington makes the motion, second by Legislator Caracappa. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1632, amending resolution numbers 884•1996 and 1037•1999 for participation in engineering in connection with the reconstruction ••
we did that one already? Oh, we didn't. Two different bridges, I'm sorry.

County Road 83, North Ocean Avenue over the Long Island Expressway, Town of Brookhaven. (County Executive) Can we do same motion, same second, same vote? All right.

1633, amending resolution number 1157•2002 and 1138•k2004 for participation in construction in connection with a closed loop traffic signal system. (County Executive) I'll make the motion. Is there a second?

D.P.O. VILORIA•FISHER:

Second by Legislator Viloria•Fisher. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1634, amending resolution number 1325•2005 for participation in construction in connection with the reconstruction/widening of County Road 3, Wellwood Avenue bridge over the Southern State Parkway, Town of Babylon. (County Executive).

LEG. D'AMARO:

Motion to approve.

P.O. LINDSAY:

Motion by Legislator D'Amaro to approve, secondy by Legislator Mystal. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1635 A, bonding resolution amending the 2006 capital budget and program appropriating funds in connection with the County share for participation in a closed loop signal system. (County Executive)

D.P.O. VILORIA • FISHER:

Why does it look the same?

P.O. LINDSAY:

I don't know.

D.P.O. VILORIA • FISHER:

George, why does it look like it's the same? As the same capital budget, too. 1633 says capital project 3309.

MR. NOLAN:

1633 amended prior resolutions in connection with a closed loop traffic signal system. This resolution reflects increased state aid to the project which reduces the County share from 200 to \$50,000.

P.O. LINDSAY:

Okay.

MR. NOLAN:

1635 ••

P.O. LINDSAY:

That's good enough. Okay, roll call.

MR. LAUBE:

You need a motion and a second.

P.O. LINDSAY:

I make a motion. Second by Legislator Eddington. Roll call.

(* Roll called by Mr. Laube • Clerk*)

P.O. LINDSAY:

Yes.

LEG. EDDINGTON:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

D.P.O. VILORIA • FISHER:

Yes.

MR. LAUBE:

18.

MR. LAUBE:

Same second.

P.O. LINDSAY:

Oh, same motion, same second, same vote.

LEG. ROMAINÉ:

Mr. Clerk, would you list me as a co•sponsor on 1636?

P.O. LINDSAY:

We didn't do 1636 yet. **1636 A, bonding resolution appropriating funds in connection with the interchange improvements for County Road 111, Port Jefferson, Westhampton Road from the Long Island Expressway, exit 70 to Chapman Boulevard, Town of Brookhaven. (County Executive)** We have a motion by Legislator Romaine, second by Legislator Schneiderman. Any questions? Roll call.

(* Roll called by Mr. Laube • Clerk*)

LEG. ROMAINÉ:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

D.P.O. VILORIA • FISHER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

18. Same motion, same second ••

LEG. ROMAINE:

This is the one I wanted to co•sponsor on.

P.O. LINDSAY:

Yes.

LEG. ROMAINE:

Right. Okay.

P.O. LINDSAY:

Same motion, same second, same vote.

1637 A, bonding resolution appropriating funds in connection with reconstruction of County Road 11, Pulaski Road from Woodbury Road to Depot Road, Town of Huntington. (County Executive)

Legislator Cooper, you want to make the motion? Legislator Cooper, Legislator D'Amaro makes the second. Okay. Roll call.

(* Roll called by Mr. Laube • Clerk*)

LEG. COOPER:

Yes.

LEG. D'AMARO:

Yes.

LEG. ROMAINE:

Yes for the west end and all of Suffolk.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yep.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

D.P.O. VILORIA • FISHER:

Yes.

P.O. LINDSAY:

Same. Yes.

MR. LAUBE:

18.

P.O. LINDSAY:

Same motion, same second, same vote, 1637.

1638, amending resolution numbers 1306•1996 and 778•2000 for participation in engineering in connection with the reconstruction of County Road 67, Motor Parkway bridge at the Long Island Expressway exit 55, Town of Islip. (County Executive) Motion by Legislator Kennedy. Do I have a second?

LEG. NOWICK:

Second.

P.O. LINDSAY:

Second by Legislator Nowick. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1639, amending resolution number 990•2004 for participation in engineering in connection with the reconstruction of County Road 80, Montauk Highway, Town of Brookhaven. Legislator Eddington makes the motion. Legislator Browning seconds the motion. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

IR 1640, amending resolution 1159•2003 participation in engineering in connection with the safety improvements at various locations. (County Executive) Do I have a motion? I'll make the motion.

Legislator D'Amaro will second the motion. All in favor? Opposed?
Abstentions?

MR. LAUBE:
18.

WAYS & MEANS

P.O. LINDSAY:
Ways and Means, getting there. **1466, adopting local law 2006, a Charter Law to amend and strengthen requirements for fiscal impact and revenue impact statements.** (D'Amaro) Legislator D'Amaro, what's your pleasure?

LEG. D'AMARO:
Motion to approve.

LEG. MYSTAL:
Second.

P.O. LINDSAY:
Motion by Legislator D'Amaro, second by Legislator Mystal. Any discussion?

LEG. ALDEN:
Explanation.

P.O. LINDSAY:
Legislator Alden would like an explanation.

MR. NOLAN:
This amends the Charter to require that the revenue impact statements and the fiscal impact statements be prepared and attached to the resolution before it is discharged from the committee to which it is assigned.

P.O. LINDSAY:

Legislator Losquadro.

LEG. LOSQUADRO:

I just want to make sure that it wasn't •• I know Budget Review can be •• we can throw a lot at them sometimes. I wanted to make sure that it wasn't necessary just to have it filed. This would be to actually •• to have it discharged out of committee?

MR. NOLAN:

Yes.

LEG. LOSQUADRO:

Okay. Very good.

P.O. LINDSAY:

Okay. We have a motion and a second. I'm sorry, Legislator Romaine.

LEG. ROMAINE:

I asked this at committee but I just want to ask again. Budget Review is supportive of this resolution?

MS. VIZZINI:

Right now we actually strive to get the fiscal impacts down for the committee process so we'll have to probably try a little harder but, yes.

LEG. ROMAINE:

Okay. Thank you.

P.O. LINDSAY:

We have a motion and a second. All in favor? Opposed? Abstentions?

P.O. LINDSAY:

18.

P.O. LINDSAY:

1512 authorizing the reconveyance of County•owned real estate pursuant to Section 215, New York State County Law to Kathleen

LaRocca. (Browning) Do I have a motion?

LEG. MYSTAL:

Motion.

P.O. LINDSAY:

Motion by Legislator Mystal, second by Legislator Browning. All in favor?
Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1521, directing the Suffolk County Attorney to intervene in the Public Service Commission proceedings relating to National Grid's acquisition of Keyspan. (Horsley) Legislator Horsley, what's your pleasure?

LEG. HORSLEY:

Motion.

LEG. KENNEDY:

Second.

P.O. LINDSAY:

Motion. Second by Legislator Kennedy. Any discussion? All in favor?
Opposed? Abstentions? We have one negative vote from •• and an abstention.

LEG. COOPER:

And, Tim, Co•sponsor, please if I'm not down already.

MR. LAUBE:

17. Alden. Legislator Barraga.

P.O. LINDSAY:

Oh, 16.

MR. LAUBE:

16.

P.O. LINDSAY:

1/1.

MR. LAUBE:

Barraga.

P.O. LINDSAY:

Okay. **1576, appointing member to the Judicial Facilities Agency John J. Collado. (Montano)** Legislator Montano.

LEG. MONTANO:

Motion.

P.O. LINDSAY:

Motion. Do we have a second? Second by Legislator Mystal. All in favor? Opposed? Abstentions?

LEG. MYSTAL:

Co•sponsor.

P.O. LINDSAY:

1584, appointing member to the Judicial Facilities Agency (Mason Bryant). (Browning) Legislator Browning makes a motion. Do I have a second? Legislator Cooper. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1600, sale of County•owned real estate pursuant to Section 72•H of the General Municipal Law, Town of Islip. (County Executive) I'll make the motion. Legislator Montano makes the second. All in favor? Opposed?

Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1602, authorizing the sale of County•owned real property pursuant to Section 72•H of the General Muncipal Law, Town of Islip. (County Executive) Who wants to make the motion? Do you want to make the motion, Legislator Montano?

LEG. MONTANO:

Yes.

P.O. LINDSAY:

And I'll second it. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

1641, authorizing the extension of a lease for premises located at 116 Hampton Raod, Southampton, New York for use by the District Attorney's Office, East End Bureau. (County Executive) Do we have a motion by one of the east end people? Do we have a motion?

LEG. ROMAINE:

Yes, motion.

LEG. SCHNEIDERMAN:

Second.

LEG. HORSLEY:

Can I make the motion as it's in my district?

P.O. LINDSAY:

Well, Romaine made the motion and Schneiderman made the second. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

Okay. We have one •• before we go to memorializing, I have one resolution here that was discharged from committee to accept a surrender of the Cross Bay Ferry license by Bay Shore Ferry. Wasn't this guy Ned? Remember Ned came here all the time to get this license? Now he's surrendering it. Okay. I'll make the motion. Second by Legislator Viloría•Fisher. All in favor? Opposed? Abstentions?

MEMORIALIZING RESOLUTIONS

P.O. LINDSAY:

Memorializing resolution •• I'm sorry, I get ahead of the clerks. Are you caught up? All right. Okay. **Memorializing resolution 029, memorializing resolution in support of establishing a procedure for the civil commitment of sexually violent predators.** (D'Amaro)
Legislator D'Amaro?

LEG. D'AMARO:

Motion to approve.

P.O. LINDSAY:

Motion to approve.

D.P.O. VILORIA•FISHER:

Second.

P.O. LINDSAY:

Second by Legislator Viloría•Fisher. Any questions? All in favor? Opposed?

Abstentions?

MR. LAUBE:

18.

LEG. ROMAINE:

Co•sponsor.

LEG. COOPER:

Co•sponsor.

LEG. LOSQUADRO:

Co•sponsor.

LEG. ALDEN:

Co•sponsor.

LEG. EDDINGTON:

Co•sponsor.

P.O. LINDSAY:

M. 030, memorializing resolution requesting United States Congress to enact the Climate Stewardship and Innovation Act of 2005.

(Romaine)

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

Legislator Romaine makes the motion. Legislator Vilorio•Fisher seconds. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

M 032, memorializing resolution requesting New York State Legislature to pass the Mental Health Parity Bill known as Timothy's Law. (Stern) Legislator Stern?

LEG. STERN:

Motion to approve.

P.O. LINDSAY:

Second by Legislator Eddington. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

LEG. ROMAINE:

Co•sponsor.

LEG. COOPER:

Co•sponsor.

LEG. MYSTAL:

Co•sponsor.

LEG. D'AMARO:

Co•sponsor.

MR. LAUBE:

Raise your hands. Jack, Jay, Dan, jk, Lynne, Wayne, Eli. Okay. I got it.

P.O. LINDSAY:

M 033, memorializing resolution requesting State of New York to share county jail construction costs. (Browning) Legislator Browning makes the motion. I have a feeling we're going to have a lot of co•sponsors on this, too. Who seconds? Second Legislator Eddington. All in favor? Opposed? Abstentions? And I want to be a co•sponsor.

MR. LAUBE:

Raise your hand. It's not everybody. It's not everybody. Who's not co•sponsoring? Make it easy on me.

P.O. LINDSAY:

Just to take a second out, I was just going to ask Legislator Barraga should we spend the money yet?

LEG. BARRAGA:

On the postage?

P.O. LINDSAY:

M 034, memorializing resolution requesting State of New York to amend the Domestic Relations Law in connection with the determinations of child custody in matrimonial actions. (Mystal)
Legislator Mystal?

LEG. MYSTAL:

Motion to approve.

P.O. LINDSAY:

Approve. Second by Legislator Romaine. Any discussion? All in favor? Opposed? Abstentions? How many co•sponsors? You got them?

MR. LAUBE:

Okay.

P.O. LINDSAY:

Okay. **M 035, memorializing resolution in support of combating Autism Act of 2005.** (Stern).

LEG. STERN:

Motion to approve.

P.O. LINDSAY:

Legislator Stern. And I want to second it.

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

I want to second it. Okay. All in favor? Opposed? Abstentions? Co
•sponsors?

MR. LAUBE:

18.

P.O. LINDSAY:

You got them?

MR. LAUBE:

No, it's not everybody.

P.O. LINDSAY:

Memorializing resolution •• did you announce ••

MR. LAUBE:

18.

P.O. LINDSAY:

M 036, memorializing resolution in support of requiring LIPA to provide notice to the Public Service Commission prior or implementation of rate increases. (Romaine) Legislator Romaine?

LEG. ROMAINE:

Motion.

LEG. MYSTAL:

Second.

P.O. LINDSAY:

Second by Legislator Mystal. This is almost as popular as sexual predators.

D.P.O. VILORIA • FISHER:

They are predators.

P.O. LINDSAY:

Tell me when you're caught up, guys.

MR. LAUBE:

Got them. (Co•sponsors) No, it's not everybody.

P.O. LINDSAY:

M 037, memorializing resolution in support of Community Broad Band Act of 2005. (Horsley) Legislator Horsley?

LEG. HORSLEY:

Motion.

P.O. LINDSAY:

Motion by Legislator Horsley, second by Legislator D'Amaro. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

M 038, memorializing resolution in support of establishing Long Island Sound Stewardship initiative. (Romaine) Legislator Romaine, what's your pleasure?

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

Motion by Legislator Romaine, second by Legislator Schneiderman. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

LEG. ALDEN:

I'm sure glad we did away with the Sense resolutions.

P.O. LINDSAY:

It's a memorializing.

LEG. ALDEN:

I know. We did away with the Sense.

P.O. LINDSAY:

Yeah, can you imagine how many more there would be if there were sense?

HR 03, Home Rule Message requesting New York State Legislature amend the tax law authorizing the County of Suffolk to be exempt from certain taxes related to the purchase of any hybrid, fuel efficient, alternative fuel, clean fuel, or electric motor vehicle.

(Romaine).

LEG. ROMAINE:

Motion.

LEG. SCHNEIDERMAN:

Second.

P.O. LINDSAY:

Motion by Legislator Romaine, second by Legislator Losquadro. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

Raise your hand if you want to co•sponsor.

I have two CN's. I got a couple of Home Rule Messages. We're going to waive the rules on these?

MR. NOLAN:

Procedural resolution we don't have to waive the rules.

P.O. LINDSAY:

Okay. **The Procedural Resolution number 5**, it should be in your folder.

It's to set up a public hearing regarding the extension of passenger ferry license for Davis Park Ferry Company. It's in your original folder. Everybody with me? It's in the manila folder that you got first thing this morning hours ago. As soon as everyone's up to speed, we will go. All right. Are we all set? I need a motion and a second?

LEG. EDDINGTON:

Motion.

P.O. LINDSAY:

Motion by Legislator Eddington. Second by Legislator D'Amaro. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

Okay. The next one is a Home Rule Message 8 2006. It was introduced by me. And we want to waive the rules and vote on it now.

LEG. ROMAINE:

Motion •• second.

P.O. LINDSAY:

We have a motion and a second to waive the rules and vote on Home Rule Message number 8. All in favor? Opposed? Abstentions?

D.P.O. VILORIA • FISHER:

Co•sponsor, please.

LEG. ROMAINE:

Co•sponsor.

P.O. LINDSAY:

Now it's before us. We just waived the rules. Now we're going to vote on the motion. **Home Rule Message requesting the State of New York to authorize the County of Suffolk to enforce state law regulating pet dealers.**

LEG. ALDEN:

Let's see what Jack does on this.

P.O. LINDSAY:

Okay. I'll make the motion. We have a second, Legislator Eddington. All in favor? Opposed? Abstentions?

LEG. ROMAINE:

Co•sponsor.

P.O. LINDSAY:

CN's. We're going to CN's. The first one •• we still have to do 1802. Right? This is the livery one, about the limousine drivers that were here and testified earlier today if you can remember. This is to modify a bill we passed last year so we can get Nassau to give us reciprocity hopefully.

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

Motion by Legislator Romaine. Second by Legislator Barraga. All in favor? Opposed? Abstentions?

LEG. ROMAINE:

If I'm not already listed, list me as a co•sponsor.

MR. LAUBE:

Who made the motion on that?

P.O. LINDSAY:

Legislator Romaine made the motion. Legislator Barraga made the second.

The other one is **1682, authorizing use of Long Island Maritime Museum property by the friends of Bradstock for Music and Arts Festival Fundraiser.** I'll make the motion. Do I have a second? Second by Legislator Eddington. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

We got late starters. You got anything else? Okay. I'm going to make a motion to waive the rules and lay on the table the following late starters: 1795 is assigned to Public Safety, 1796 to Public Works, 1798 to Labor, 1799 to EPA, 1800 to Public Works, 1801 to Public Works, 1803 to Health and Human Services, 1804 to Health and Human Services, 1805 Health and Human Services, 1806 Health and Human Services, 1807 Economic Development, Education and Energy, 1808 Public Works, 1809 Economic Development and Education and Energy, 1810 Public Safety. Memorializing resolution number 54 Economic Development and Education, memorializing resolution number 55 Budget and Finance and procedural resolution number 6 Economic Development, Education and Energy. Okay, I don't think I said 1797 goes to Ways and Means.

Okay. We have a motion. Do I have a second to lay those on the table as late starters. Second by Legislator Cooper. We have another one? All right. Let me take the vote. Can I take this vote first? Okay. We have a motion and a second on the laying the late starters on the the table. All in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

Okay. Just bear with me. Two more things and we're out of here. We also have a late starter 1809, it's a local law to prohibit the construction and operation of liquified natural gas floating storage reclassified units to the Long Island Sound. This is for a public hearing for June 27th in Riverhead. I need a motion. Motion by Legislator Vilorio•Fisher, second by Legislator

Romaine. All in favor? Opposed? Abstentions?

MR. LAUBE:

17. Caracappa.

P.O. LINDSAY:

And before I adjourn I have one other announcement. It's from the County Executive that there is a special meeting on Monday June 19th at 9:30 AM. There's a one hour public portion to consider a vote on a home rule message number 5 2006 requesting New York State Legislature to create a new uniform fee for \$175 for recording mortgages and mortgage related documents.

Having said that, we are •• unless anybody else has anything •• we're adjourned.

(THE MEETING CONCLUDED AT 8:10 PM)